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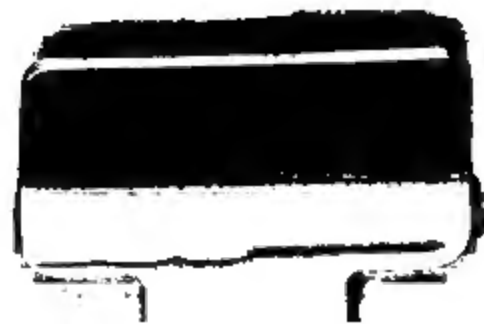
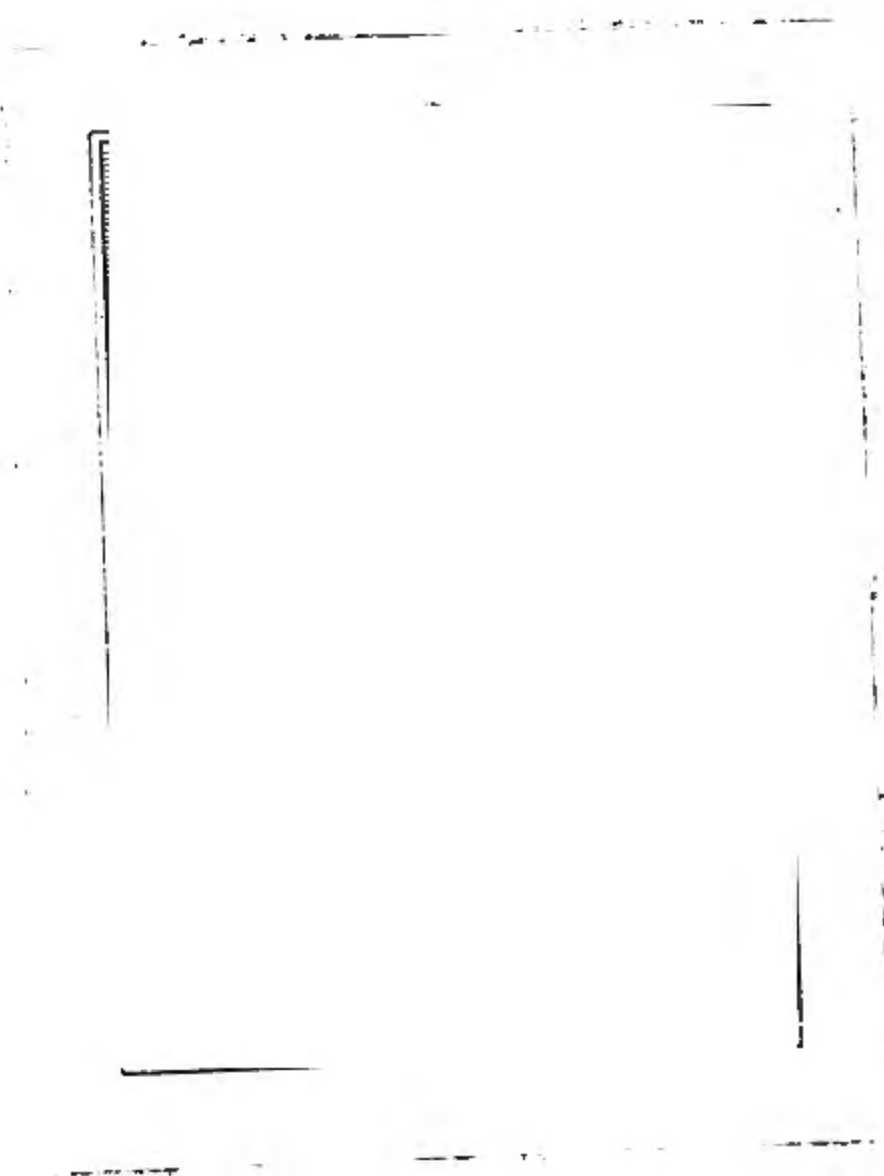
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DOCUMENTS

OF THE

SENATE OF THE STATE OF NEW-YORK.

EIGHTY-SEVENTH SESSION.—1864.

VOLUME IV.—Nos. 51 to 105 Inclusive.

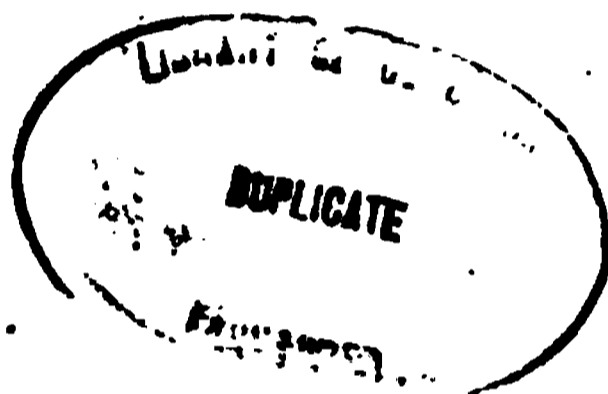
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1864.

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State of New York.

No. 51.

IN SENATE,

March 3, 1864.

COMMUNICATION

FROM THE GOVERNOR, ASKING FOR ADDITIONAL FORCE IN
THE OFFICE OF THE ADJUTANT GENERAL.

STATE OF NEW YORK:

EXECUTIVE DEPARTMENT,
ALBANY, *March 3, 1864.* }

To the Senate :

Since the passage, by the Congress of the United States, of the enrolment act of March 3, 1863, much anxiety has been felt by citizens of this State, relative to the quotas assigned to the several towns and cities of the State, under the several calls of the President for volunteers.

Thus far, only one draft has been actually made by the General Government under this act, and it is now understood that the result of this draft is to be credited upon the last call of the President for volunteers, bearing date February 1, 1864.

The desire to fill the quotas of the respective towns and cities has, since the passage of the enrolment act, led to active exertions in the procurement of volunteers, and large local bounties have in many localities been offered in addition to the State and General Government bounties.

Localities taxed to raise local bounties make every effort to obtain credit upon their respective quotas for all new volunteers, re-enlistments and enlistments in the regular army.

The clerical force in the Adjutant General's office has been inadequate to enable that official to open books of credit with the several towns, cities, counties, and Congressional districts of the State, for men furnished to the service.

[Sentte, No. 51.]

Local, county, city and town committees are constantly visiting the Adjutant General's office for the purpose of examining the rolls on file, as to the enlistment of new recruits, re-enlistments in the field, and enlistments for the regular service. •

In the absence of books showing local quotas and credits, this is the only method of obtaining the information sought.

By constant handling, many of the rolls have become mutilated, and hardly legible.

In addition to the value of these rolls for the purposes named, they may eventually be the only evidence whereby disabled soldiers or the families of deceased soldiers will be enabled to draw back pay or receive pensions.

I respectfully ask your early consideration of this subject, and that the necessary appropriation be made to enable the Adjutant General to employ the force requisite to transcribe the rolls into books of credit with the several Congressional districts of the State.

HORATIO SEYMOUR.

State of New York.

No. 52.

IN SENATE,

March 2, 1864.

FIRST ANNUAL REPORT OF THE TRUSTEES OF THE NEW YORK MEDICAL COLLEGE FOR WOMEN.

To the Hon. DAVID R. FLOYD JONES,
President of the Senate :

The trustees and faculty of the New York Medical College for Women, in compliance with a requisition of the Regents of the University, respectfully submit the following report for the current collegiate year, containing a just and true statement of facts, showing the condition of the college in respect to the several subject matters following, viz :

1. *Names and description of Professorships.*

The professorships in the college are the following:

- 1st. A professorship of the Diseases of Women and Children,
- 2d. A professorship of the Principles and Practice of Medicine.
- 3d. A professorship of Obstetrics and Medical Jurisprudence.
- 4th. A professorship of Chemistry and Toxicology.
- 5th. A professorship of Physiology and Hygiene.
- 6th. A professorship of Therapeutics and Materia Medica.
- 7th. A professorship of Anatomy.
- 8th. A professorship of the Principles and Practice of Surgery.

2. *Faculty of the College.*

The faculty of the college consists of one professor for each of the said professorships enumerated above.

Mrs. C. S. Lozier, M. D., Professor of the Diseases of Women and Children. J. M. Ward, M. D., Professor of Obstetrics and Medical Jurisprudence. James Hyatt, Professor of Chemistry and Toxicology. Mrs. Huldah Allen, M. D., Professor of Physiology and Hygiene. S. R. Kirby, M. D., Professor of Therapeutics and Materia Medica. Mrs. Sarah M. Ellis, M. D., Professor of

Anatomy. J. R. Andrews, M. D., Professor of the Principles and Practice of Surgery.

John Ellis, M. D., has assisted two of the professors in giving lectures on the Principles and Practice of Medicine, that professorship being vacant.

Number of Students.

The number of students in attendance is eighteen; all of whom are over twenty years of age, and are earnest and devoted students.

College Session.

The college term, announced to commence on the third Monday of October, was delayed to the first Monday of November, in consequence of the incomplete arrangements in the college building.

Five or more lectures have been delivered daily by the respective professors; the course terminates on the 1st of March.

Mode of Instruction.

The mode of instruction is by public lectures, by the respective professors, on the subject of their respective professorships.

The professors examine the members of the class on the subject of the previous lecture, both as a means of instruction and a test of acquirement.

Discipline of the College.

No rules of discipline have been adopted. None have been demanded. Propriety and decorum have characterised the students.

College Rooms.

The upper story of the marble building in Broadway, opposite the New York Hotel, has been rented by the trustees and fitted up for college purposes, giving appropriate lecture rooms, with facilities for chemical and anatomical demonstrations.

Current Expenditures.

The fees for tuition, amounting to six hundred and eighty-two dollars, together with the voluntary contributions of about fifteen hundred dollars, have met all the expenses of the college, including a small salary to each of the professors.

The foregoing report of the Dean of the college is respectfully submitted by the Board of Trustees.

MARIA LOUISA OSCANYAN,
Cor. Sec. N. Y. Med. Col. for Women.

State of New York.

No. 53.

IN SENATE,

March 1, 1864.

COMMUNICATION

FROM T. C. PETERS, IN REPLY TO A RESOLUTION OF JANUARY 13, 1864, RELATIVE TO THE REAL AND PERSONAL PROPERTY OF THE STATE.

STATE OF NEW YORK:

IN SENATE.

ALBANY, *January 13, 1864.* }

On motion of Mr. BELL,

Resolved, That Messrs. T. C. Peters, Ebenezer Blakeley and Philip W. Engs, State Assessors, be requested to submit a report of such facts as they may have collected in regard to the real and personal property of this State, the condition of its agricultural and other industrial pursuits, as may be useful in the equalization of values among the different counties for the purpose of taxation.

By order of the Senate.

JAMES TERWILLIGER, *Clerk.*

Hon. DAVID R. FLOYD JONES, *President of the Senate:*

Sir—The undersigned begs leave to state in answer to the foregoing resolution, that he has already sent a report upon the “resources of the State” to the House of Assembly in answer to a resolution of an earlier date. The honorable Senate can refer to that document as an answer to the above resolution.

I am, sir, with great respect,

• Your obedient servant,

THEODORE C. PETERS,

State Assessor.

DARIEN, *February 24, 1864.*

[Senate, No. 53.]

State of New York.

No. 54.

IN SENATE,

March 2, 1864.

REPORT

OF THE NEW YORK STATE AGRICULTURAL SOCIETY RELATIVE TO THE EXPENDITURE OF THE APPROPRIATION OF \$1,000, TO PAY FREIGHT ON ARTICLES SENT TO THE HAMBURG EXHIBITION.

To the hon. the Legislature:

HAMBURG EXHIBITION.

The New York State Agricultural Society appointed a commissioner to attend the exhibition of the free city of Hamburg, which was held July last. The society was represented in the exhibition, having sent over several hundred packages of grain, seeds and dried grasses—which attracted much attention—which were delivered at the close of the exhibition to the representative of Sweden; and in return, a fine collection of grain and seeds from Sweden was presented to the different States of this country represented at the exhibition.

Our commissioner, Mr. A. Baldwin of New York, in his report remarks, that the contributors from this State were deeply indebted to the liberal donation made by the Legislature of this State of \$1,000, by which they were enabled to sustain the credit of our State at the exhibition, and bring to the knowledge of a large portion of the people of continental Europe our improved agricultural facilities for saving labor and increasing their agricultural wealth.

Although the contributions from this country were not very extensive, yet they attracted much attention from the numerous visitors who attended the exhibition; and our agricultural implements and machinery, being manufactured at prices much below those of Great Britain or any part of Europe, will doubtless

establish for themselves a precedence in the markets of Germany and northern Europe.

Our commissioner considers the most important result from our being represented was from the interest manifested by the Chief Magistrate of the United States and the representatives from nine of the States, which convinced our German friends of the solicitude felt in their efforts to advance their agricultural industry, and has increased the friendship and awakened a sympathy between the people of the German States and ourselves to an extent not hitherto felt, and which in numerous ways cannot fail to be highly advantageous.

The report of our commissioner will be given in full in connexion with the report of the State Agricultural Society; and we close by a reference to the disposition of the appropriation made by the Legislature to our society to defray the freight on articles sent by citizens of this State to the Hamburg exhibition.

The appropriation of \$1,000 made at the last session of your honorable body, "for defraying freight on articles sent by citizens of the State of New York to the international exhibition at Hamburg, and the return of the same to New York, to be expended under the supervision of the New York State Agricultural Society," was drawn by us for that purpose, and with regard to its application, we have to report:

That the society has already expended, or is responsible for, the sum of seven hundred and five dollars and thirty-eight cents (\$705.38) for the purposes designated in the foregoing appropriation, and that the balance of the fund of one thousand dollars remaining unexpended in the treasury of the society is two hundred and ninety-four dollars and sixty-two cents (\$294.62.) This unexpended balance is therefore now subject to such disposition, as your honorable body may direct.

EDWARD G. FAILE, *President.*

B. P. JOHNSON, *Secretary.*

STATE AGRICULTURAL ROOMS, }
ALBANY, Feb'y 9, 1864. }

State of New York.

No. 55.

IN SENATE,

March 2, 1864.

REPORT

OF THE TRUSTEES OF THE NEW YORK STATE AGRICULTURAL COLLEGE.

To the Hon. the Legislature:

The trustees of the New York State Agricultural College, located at Ovid, Seneca county, respectfully .

REPORT:

That the institution under their charge was incorporated by the Legislature in the year 1853, the late lamented John Delafield, Esq., Seneca county, being regarded as the leader in the enterprise, and it being understood by his associates that he would accept the presidency of the college until it should be thoroughly organized and in successful operation. Measures were in progress to this end, and a suitable farm had been conditionally purchased, when Mr. Delafield was suddenly removed by death. The remaining trustees were unprepared to proceed with the enterprise, and determined to await events for a while, in the hope that some one worthy to succeed Mr. Delafield might be found.

Thus matters remained until 1855, when the people of Ovid and its vicinity made to the trustees an offer to raise by subscription the sum of \$40,000, provided they would locate the college at that place. In the succeeding year, the Legislature passed an act, loaning to the institution the sum of \$40,000, for twenty years, without interest, provided an equal sum was contributed absolutely by private subscription. This legislation gave such encouragement to private liberality, that ere long the people of Ovid and its vicinity reported that the full sum of \$40,000 had been subscribed, and they asked from the trustees their fulfil-

ment of a conditional promise, that the college should be located at Ovid, provided the sum named should be paid or secured to be paid by the citizens of that neighborhood.

The trustees accordingly located the college at Ovid, and purchased about 750 acres of land for the college farm. They then proceeded to erect a suitable building, in the most substantial manner, capable of accommodating 125 to 150 students; the plan adopted being such that the building could be advantageously enlarged so as to accommodate 400 students or more.

The building was completed and ready for the reception of pupils in the autumn of 1860. To enable the trustees to make the necessary payment for land, and for the erection of the college edifice, they borrowed the sum of \$30,000 on bond and mortgage from the Mutual Life Insurance Company of New York city.

If the subscriptions to the college had been available to their full amount, it would not have been necessary to borrow so large a sum, but there were upwards of \$15,000 of these subscriptions not due, and of course unavailable for the payment of builders.

The institution was opened for the reception of pupils in December, 1860, under the presidency of Brigadier General M. R. Patrick, with a competent corps of professors, and it continued in successful operation for one year, when, for reasons herein stated, it was resolved to close its doors until the country became again tranquil, and the prospects of success and usefulness more encouraging.

It is, perhaps, needless to say, that if the trustees could have foreseen the fearful war in which the country is involved, they would have postponed the opening of their college for a period, but having begun their work, they did their best to carry it on successfully.

Unforeseen difficulties presented themselves when the magnitude of "the great rebellion" became manifest, and it was apparent that the military energies of the country were to be taxed to the utmost in its suppression, when every loyal man felt it as well a privilege as a duty to do all he could in support of the Government. The Governor of the State called for the services of General Patrick, president of the college, to aid him in organizing a military system for the rapid and economical raising and equipping of volunteers, and urged upon him, in the strongest terms, to relinquish for a time his duties at the college, and assume still more important ones at Albany.

The long and creditable connection of Gen. Patrick with the army of the United States pointed him out as eminently qualified for such an emergency as had arisen, and his patriotism prompted him at once to accept the position pressed on him by Governor Morgan. Knowing how well suited he was for these military duties, the board of trustees, though deploring his loss to their infant college, gave a cheerful assent.

At the same time it became manifest that much enthusiasm existed among the students in regard to the war, and that a considerable number would join the army at the close of the year. The institution may be said to be well represented in the army of the United States—a president, a professor, and a number of scholars having entered the military service.

Owing, as the trustees believe, to the disturbed condition of the country, the number of pupils at the opening of the institution was but little over thirty, whereas assurances had been given previously by parents, which led to the expectation that nearly eighty pupils would apply for admission.

The receipts for tuition being thus far below the estimates made by the trustees, it became apparent that exertions must be made to obtain individual subscriptions or legislative aid to meet the financial deficiency; an earnest effort was first made to individuals, but in the then existing state of affairs, it was impossible to obtain from this source any considerable amount.

The trustees then came to the Legislature, and respectfully asked an appropriation; they represented that the New York State Agricultural College was in its management, its aims, and objects, a public enterprise, that would not only prove of inestimable value to the farmer, but would be the means, through its teachings, of widening greatly the productions of the State. They further represented that they had no private ends to gratify; they gave their time and labor and money for a public good; that this enterprise must for a while at least be abandoned, unless the Legislature would make a reasonable appropriation to meet its emergencies; that the trustees would undertake to continue the course of instruction, if even the small grant of \$5,000 or \$10,000 a year was given them—the trustees themselves proposing to make up any deficiency beyond that sum; but as men of honor, they could not consent to pursue a course which would lead to hopeless insolvency, and that the college would certainly be closed at the expiration of the scholastic year, unless something were done for its relief.

The trustees reasoned thus : If the cause of agricultural education has not the sympathy of the representatives of the people, we must submit to the mortifying consequences, in seeing this promising institution closed ; but we shall have the consolation of having done all in our power to prevent it.

These appeals were in vain ; the Legislature refused any aid whatever, and, as a consequence, the college was closed in November, 1861.

It has never been re-opened. The trustees have, since the date named, been engaged in bringing its affairs into the best possible condition ; protecting the property from dilapidation, and from risk of fire, and holding it in a condition ready to perform its due share in our educational system, whenever the Legislature shall bid it to do so.

The quantity of land originally purchased was found to be in excess of the want of the college, and it was resolved to part with about three hundred acres, reserving an admirable farm of 454 acres, surrounding the college edifice, and extending to the shore of Seneca lake.

All the floating debt has been paid off, several of the trustees having united in a loan to the college to enable it to do so—their advances to be repaid from subscription notes yet to be collected. The amount still due on subscriptions that are considered secure exceeds ten thousand dollars ; the liability above stated about five thousand ; so that it is believed there will be a surplus exceeding five thousand dollars.

The mortgages given by the college have all been satisfied, except that for \$30,000 held by the Mutual Life Insurance Company already mentioned, and the nominal mortgage to the State for \$40,000.

The property in possession is as follows, being worth to any college or to any public institution the valuation hereto affixed :

Farm of 454 acres land, of excellent quality, extending from the shore of Seneca lake nearly to the village of Ovid, having upon it five dwelling houses and substantial outbuildings, estimated at \$70 per acre.....	\$31,780 00
College edifice and outbuildings belonging thereto, which cost say \$55,000 ; worth now to build, upwards of	70,000 00

\$101,780 00

It will be seen from these statements that the institution is free from pecuniary embarrassment, and needs only a due degree of liberality towards it to enable it at once to resume its important work.

When Congress passed the Land Grant bill, usually called the Agricultural College bill, by which this State received 990,000 acres of land for the endowment of one or more colleges, "where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts," it was confidently expected that the New York State Agricultural College, possessing as it does the confidence and favor of the leading agriculturists of the State, would receive at least half of the fund thus bestowed. The trustees accordingly presented themselves once again before the Legislature, this time not asking anything from the State Treasury, but claiming their equitable rights under the act of Congress referred to. They urged their just claims upon both Houses of the Legislature, but without avail. To their astonishment, and to the amazement of friends of education throughout the land, the whole of this vast fund was bestowed upon a college which had never for a day opened its doors for pupils, and which does not possess the sympathy of the leading farmers throughout the State.

This act of the Legislature, so intensely mortifying to those who have fostered the New York State Agricultural College, has well nigh discouraged the trustees, still they are not prepared to abandon their trust. They are ready to proceed with their appropriate work, when the Legislature, by proper and enlightened liberality shall show that *that* work is appreciated.

They respectfully ask that the act of last session, disposing of the land grant of Congress, be so modified that one-half the income from said lands shall be appropriated to the institution they represent—the New York State Agricultural College.

JOHN A. KING,
Chairman Board of Trustees.

REPORT
OF THE
SUPERINTENDENT
OF THE
BANKING DEPARTMENT
RELATIVE TO
SAVINGS BANKS.

TRANSMITTED TO THE LEGISLATURE, FEBRUARY 18, 1864.

ALBANY:
COMSTOCK & CASSIDY, PRINTERS.
1864.

REPORT

OF THE

COMMISSIONERS OF THE

LAND OFFICE

1871

State of New York.

No. 56.

IN SENATE,

February 18, 1864.

ANNUAL REPORT
OF THE SUPERINTENDENT OF THE BANKING DEPARTMENT
RELATIVE TO SAVINGS BANKS.

STATE OF NEW YORK:

BANK DEPARTMENT,
ALBANY, *February 18, 1864.* }

To Hon. DAVID R. FLOYD JONES,

President of the Senate :

SIR—I transmit herewith abstracts from the reports of the Savings Banks of this State, as required by chap. 136, Laws of 1857.

Respectfully,

Your obd't servant,

H. H. VAN DYCK, *Supt.*

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REPORT.

BANK DEPARTMENT,
ALBANY, *February 18, 1864.* }

The Superintendent of the Banking Department, has the honor to submit herewith abstracts from the annual reports of the Savings Banks of this State, showing the condition of those institutions on the first of January, 1864.

The whole sum represented in savings banks at the time stated, is \$98,881,171, of this amount \$93,786,384 is directly due to depositors, and the balance consists of real estate, furniture and accumulated profits, amounting to \$5,094,787. The magnitude of the trust committed to these institutions will be more fully realized in view of the fact that the reported capital of all the banks, banking associations, and individual bankers doing business in the State amounts to \$109,535,785 ; thus showing that the accumulated savings of the class represented in savings banks, is rapidly approximating in amount that of the whole banking interest of the State.

The following comparative statement of the operations of the savings banks, for the years ending with the 31st of December 1862 and 1863, will serve to mark the rapidity with which this trust is increasing in volume and value :

	1862.	1863.	Increase.
Number of institutions in operation.....	71	71	
Number of open accounts.....	347,184	400,194	53,010
Amounts due depositors.....	\$76,538,183	\$93,786,384	\$17,248,201
Amounts deposited.....	39,096,308	54,257,096	15,160,788
Amounts withdrawn.....	28,897,495	40,257,953	11,360,458
Amounts of interest received.....	4,167,006	5,074,759	907,754
Amounts of interest credited depositors.....	3,079,302	3,700,524	621,222

One prominent cause of the large increase of deposits during the past year, is undoubtedly to be found in the bounties and pay dispensed to soldiers, and left by them for safe-keeping or the support of their families. The difficulty of finding safe invest-

ments for their savings, has induced another class to avail themselves to an unusual extent of the instrumentality of savings banks for this object. It is also to be feared that not a few have placed their money in this keeping with a view of escaping the taxation which might follow an investment more accessible to assessors. But to whatever cause the rapid accumulations in savings banks may be attributed, it is unquestionable that these institutions, rightly managed, tend to foster frugality, industry and thrift, amongst the poorer classes of society. The fact that no serious disaster has hitherto overtaken the system, should in no wise influence the Legislature to relax the safeguards by which these institutions have hitherto been surrounded, or induce their undue multiplication in localities already supplied with well managed savings banks. A spirit of rivalry for the attainment of deposits is likely to result in improvident investments, the object being rather the securing of a high rate of interest, than the entire safety of the sum loaned. By the multiplication of agents, not only are the expenses of management increased, but the risks of mal-appropriations are proportionally multiplied. Whilst there may be a few places within the State where, by an aggregation of population, the establishment of a savings bank might prove beneficial, the cases are rare and exceptional. This is shown by the fact that of the four banks incorporated at the Legislative session of 1861, not one has gone into operation; and of the six chartered by the last Legislature, only two are in existence. The demand for charters of this character is doubtless quite as often the result of personal cupidity, seeking the control of the earnings of the poor, as it is the dictate of a disinterested benevolence, intent only upon benefiting a meritorious but dependent class. Hence too much caution cannot be exercised in the dispensation of charters, especially where, as in our larger cities, abundant accommodation for the safekeeping of savings, is already provided.

The following summary, shows the aggregate of the resources and liabilities of the savings institutions of this State, as exhibited by their reports on the morning of the 1st day of January 1864.

Resources.

Bonds and mortgages.....	\$28,922,202
Estimated value of mortgaged premises	\$56,402,975
Stock investments.....	59,287,419

REPORT ON SAVINGS BANKS.

Par value of stocks.....	\$59,348,834
Estimated value of same.....	59,993,360
Stocks upon which money has been loaned, par value.....	8,988,747
Amount loaned thereon.....	3,409,219.
Amount loaned on personal securities.....	372,926
Amount invested in real estate.....	1,237,532.
Cash on deposit in banks.....	8,080,862
Cash on hand, not deposited in banks..	1,644,955
Amount loaned or deposited, not included in the above heads.....	692,522
Miscellaneous.....	233,934

\$98,881,171

Liabilities.

Amount due depositors.....	\$93,786,384
Miscellaneous.....	9,204
Excess of assets over liabilities.....	5,085,583

\$98,881,171

Total am't deposited during the calendar year 1863	\$54,257,096
Total am't withdrawn do do	40,257,953
Total am't received from interest do do	5,074,759
Total amount of interest placed to credit of depos- itors.....	3,760,524
Number of open accounts.....	400,194
Average to each depositor.....	234.35 $\frac{2}{10}$

Of the stock investments reported, \$31,635,752, or more than one-half of the aggregate amount is in United States securities. Bonds and mortgages have diminished \$1,589,110 within the last year. Loans on personal securities have increased from \$174,717 in 1862, to \$372,926 in 1863.

Many of the saving banks are restricted by their charters to investments in stocks of the United States and this State; and of cities; when issued under authority of the Legislature. It is respectfully suggested that a benefit both to the public and to the savings banks would inure from the passage of a law authorizing investment in county and town bonds, issued by Legislative permission for soldiers' bounties and other purposes connected with

REPORT ON SAVINGS BANKS.

the war. Provision should also be made for legalizing any investments of this description which may have been made prior to the passage of such act.

A supplementary report communicating the results of the investigation into the condition of the savings banks, directed by a joint resolution of the Legislature, adopted at the last session, will be submitted as soon as the examinations in progress shall be completed.

The following named clerks have been employed during the year 1863 :

Nathaniel D. Hare, salary.....	\$500 00
Edward Hand, do	200 00
Alexander H. Dennis do	200 00

Expenses.

Paid salaries.....	\$900 00
Postage, printing, blanks, and stationery	50 50
	<hr/>
	\$950 50
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Respectfully submitted,

H. H. VAN DYCK,

Superintendent.

SUMMARY, showing the aggregate of the Resources and Liabilities, and other matters of the institutions for Savings of the State of New York, as exhibited by their reports to the Superintendent of the Banking Department, of their condition on the morning of the first day of January, in each of the following years.

RESOURCES.	1886.	1887.	1888.
Bonds and mortgages.....	329,284,866	371,014,211	322,644,804
Estimated value of mortgaged premises.....	948,668,538	951,323	955,872,318
Stock investments.....	17,848,304	22,365,172	39,607,774
Par value of stocks.....	17,818,708	22,470,773	29,703,128
Estimated value of the same.....	17,029,242	23,013,414	28,932,740
Stocks upon which money has been loaned, par value.....	1,562,237	908,929	1,762,451
Amount loaned thereon.....	1,123,961	736,244	1,253,804
Amount loaned on personal securities.....	21,046	50,946	56,207
Amount invested in real estate.....	947,185	1,072,846	1,101,791
Cash on deposit in banks.....	3,297,441	4,343,200	6,845,880
Cash on hand not deposited in banks.....	844,770	1,010,763	919,961
Amount loaned or deposited not included in the above heads.....	50,462	57,862	120,945
Miscellaneous.....	27,200	25,869	22,300
LIABILITIES.			
Amount due depositors.....	943,886,901	950,088,321	900,768,300
Miscellaneous.....	941,422,072	948,194,847	958,178,108
Reserve of assets over liabilities.....	25,606	20,906	23,151
	3,437,023	3,472,658	3,552,085
	943,886,901	950,687,003	900,763,590
Number of institutions in operation.....	54	64	64
Number of open accounts.....	303,864	230,074	273,097
Average to each depositor.....	2263.24	3200.474	3208.91
Total amount.....	24,838,443	26,514,144	30,808,383
Total amount.....	26,541,682	21,789,493	23,308,109
Total amount.....	2,643,615	2,696,489	3,049,924
Total amount.....	2,070,851	2,197,787	2,610,912
During the past calendar year.....			

SUMMARY.—Continued.

RESOURCES.	1861.	1862.	1863.	1864.
Bonds and mortgages.....	\$26,453,607	\$28,643,014	\$25,511,512	\$23,922,202
Estimated value of mortgaged premises.....	864,288,421	859,594,466	860,958,741	856,402,975
Stock investments.....	33,550,918	39,821,821	40,305,743	59,287,919
Par value of stocks.....	33,726,985	31,025,082	40,550,369	59,348,834
Estimated value of the same.....	33,543,376	27,469,299	40,618,354	59,993,360
Stocks upon which money has been loaned, par value.....	1,749,416	1,562,788	2,769,899	3,988,747
Amount loaned thereon.....	1,429,153	1,073,899	2,314,816	3,469,219
Amount loaned on personal securities.....	49,177	185,718	174,717	872,926
Amount invested in real estate.....	1,642,305	1,010,295	1,111,470	1,237,532
Cash on deposit in banks.....	6,485,130	6,251,416	8,845,406	8,989,982
Cash on hand not deposited in banks.....	1,197,169	1,937,386	1,824,904	1,644,955
Am't loaned or depos'd not included in the above heads.....	162,256	177,156	643,782	692,522
Miscellaneous.....	48,687	93,536	169,856	223,994
LIABILITIES.				
Amount due depositors.....	\$70,409,752	\$67,144,233	\$68,393,936	\$68,881,171
Miscellaneous.....	367,440,597	364,063,119	376,538,183	393,796,384
Excess of assets over liabilities.....	20,160	5,945	8,761	9,264
	2,949,196	3,066,066	3,846,103	5,085,063
	\$70,409,752	\$67,144,233	\$68,393,936	\$68,881,171
Number of institutions in operation.....	71	74	71	71
Number of open accounts.....	309,693	309,511	347,184	400,194
Average to each depositor.....	\$324.29	\$213.21	\$226.45	\$234.35
Total amount.....	34,934,271	27,439,855	39,696,308	54,257,096
Total amount.....	28,306,414	33,678,072	28,697,495	40,257,953
Total am't rec'd.....	3,622,158	3,954,724	4,167,005	5,074,759
Total amount of interest credited depositors during the past calendar year.....	2,834,249	3,988,921	3,479,302	3,760,524

REPORT ON SAVINGS BANKS.

11

	Amount of Reserves.	Amount due Depositors.
1. Albany Savings Bank, Albany..	\$2,018,543	\$1,941,523
2. Albany City Savings Institution, Albany	292,023	292,023
3. Albany Exchange Savings Bank, Albany	104,289	104,229
*Anglo African Savings Bank, New York	not organized.	
4. Atlantic Savings Bank, New York	522,707	501,418
5. Auburn Savings Institution, Au- burn	696,822	684,153
6. Bank for Savings in the city of New York, N. Y	11,969,451	11,363,269
7. Bowery Savings Bank, New York	13,278,250	12,179,187
8. Broadway Savings Institution, New York	1,253,812	1,172,639
9. Brooklyn Savings Bank, B'klyn	5,155,802	4,856,928
10. Buffalo Savings Bank, Buffalo...	1,574,531	1,469,838
11. Central City Savings Institution, Utica	76,663	72,580
12. Central Savings Bank of Troy, Troy	80,783	80,783
13. Chenango County Savings Bank, Norwich	105,950	105,664
14. Citizens' Savings Bank, New York	778,283	750,522
15. Cohoes Savings Institution, Co- hoes	159,145	159,145
Commercial Saving Bank of Troy, Troy	discont'd business 1863.	
16. Corning Savings Bank, Corning.	2,036	1,978
17. Dime Savings Bank, Brooklyn..	866,967	841,845
18. Dry Dock Savings Institution, New York	3,527,773	3,407,641
19. East Brooklyn Savings Bank, Brooklyn	91,204	89,296
20. East River Savings Institution, New York	1,569,782	1,428,843

	Amount of Resources.	Amount due Depositors.
21. Elmira Savings Bank, Elmira...	\$30,519	\$29,465
22. Emigrant Industrial Savings Bank, New York.....	3,594,185	3,425,621
*Emigrant Savings Bank of Brooklyn, Brooklyn.....	not organized.	
23. Emigrant Savings Bank of Buf- falo, Buffalo.....	80,269	79,444
24. Erie County Savings Bank, Buf- falo.....	2,247,678	2,178,374
25. Fishkill Savings Institute, Fish- kill.....	126,718	119,635
26. Franklin Savings Bank, New York.....	53,477	51,321
27. German Savings Bank, New York.....	2,442,413	2,444,413
28. Greenwich Savings Bank, New York.....	4,478,892	4,188,262
29. Harlem Savings Bank, Harlem*	6,885	6,503
30. Hudson City Savings Institution, Hudson.....	185,665	178,062
31. Institution for the Savings of Merchants' clerks, New York..	2,026,456	1,911,512
32. Irving Savings Institution, New York.....	1,568,866	1,518,934
*Ithaca Savings Bank Ithaca..	not organized.	
33. Jefferson County Savings Bank, Watertown.....	122,991	121,239
34. Kings County Savings Institu- tion, Brooklyn.....	230,529	226,208
35. Manhattan Savings Institution, New York.....	3,547,911	3,395,532
36. Manufacturers' Savings Bank of Troy, Troy.....	106,763	106,650
*Market Savings Institution, New York.....	just organized.	
37. Mariners' Savings Institution, New York.....	1,255,624	1,196,462
38. Mechanics' and Farmers' Sav- ings Bank, Albany.....	893,149	893,149

REPORT ON SAVINGS BANKS.

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	Amount of Resources.	Amount due Depositors.
39. Mechanics' and Traders' Savings Institution, New York.....	\$1,307,149	\$1,244,360
40. Monroe County Savings Bank, Rochester.....	1,336,205	1,286,576
41. Mutual Savings Bank of Troy, Troy.....	65,721	65,721
42. Newburgh Savings Bank, New- burgh.....	556,850	532,017
43. New York (formerly Rose Hill,) Savings Bank, New York.....	268,284	250,083
44. Niagara County Savings Bank, Lockport.....	5,771	5,460
45. Onondaga County Savings Bank, Syracuse.....	1,245,877	1,219,427
46. Oswego City Savings Bank, Os- wego.....	202,618	201,206
47. Peekskill Savings Bank, Peekskill *People's Savings Bank, New York.....	123,736	120,690
48. Poughkeepsie Savings Bank, Poughkeepsie.....	not organized.	
49. Queens County Savings Bank, Flushing.....	796,678	743,154
50. Rhinebeck Savings Bank, Rhine- beck.....	67,862	67,123
51. Rochester Savings Bank, Ro- chester.....	38,773	37,018
52. Rome Savings Bank, Rome.....	2,584,104	2,423,792
53. Sag Harbor Savings Bank, Sag Harbor.....	230,658	222,431
54. Savings Bank of Utica, Utica..	73,986	73,986
55. Schenectady Savings Bank, Sche- nectady.....	953,722	903,740
56. Seamen's Bank for Savings, New York.....	338,708	325,771
57. Sing Sing Savings Bank, Sing Sing.....	10,246,699	9,627,280
58. Sixpenny Savings Bank of the Empire city of New York, N. Y.	94,544	91,461
59. South Brooklyn Savings Institu- tion, Brooklyn.....	262,996	258,533
	1,376,553	1,310,650

	Amount of Resources.	Amount due Depositors.
60. Southold Savings Bank, Southold	\$188,893	\$181,222
61. State Savings Bank, Troy	163,619	163,619
62. Syracuse Savings Institution, Syracuse	1,010,551	981,351
63. Third Avenue Savings Bank, New York	930,071	901,968
64. Troy Savings Bank, Troy	1,455,310	1,410,440
65. Ulster County Savings Institu- tion, Kingston	251,696	235,565
66. Union Dime Savings Institution, New York	986,998	950,317
67. Union Savings Bank, Albany	14,445	14,445
68. Westchester County Savings Bank, Tarrytown	257,853	241,243
69. Western Savings Bank, Buffalo	354,965	347,082
70. Williamsburgh Savings Bank, Brooklyn	3,674,177	3,492,723
71. Yonkers Savings Bank, Yonkers	186,652	181,716

1. ALBANY SAVINGS BANK, ALBANY.

Resources.

Total amount of bonds and mortgages.....	\$176,055 80
Total amount of stock investments.....	742,195 61
Cash on deposit in banks.....	1,095,291 93
	<hr/>
	\$2,013,543 34
	<hr/>

Liabilities.

Total amount due to depositors.....	\$1,941,523 34
Excess of assets over all liabilities.....	72,020 00
	<hr/>
	\$2,013,543 34
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 6,249.

The total amount deposited during the calendar year 1863, was..... \$1,053,924 58

The total amount withdrawn during the calendar year 1863, was..... 670,130 76

The amount received for interest during the calendar year 1863, was..... 68,864 71

The amount placed to the credit of depositors for the same period, was..... 64,418 64

Rate of ordinary dividends for past year, 5 per cent.

2. ALBANY CITY SAVINGS INSTITUTION, ALBANY.

Resources.

Total amount of bonds and mortgages.....	\$38,301 75
Total amount of stock investments.....	89,720 00
Cash on deposit in banks.....	164,001 62
	<hr/>
	\$292,023 37
	<hr/>

Liabilities.

Total amount due to depositors..... \$292,023 37

The number of open accounts on the morning of January 1st, 1864, was 886.

The total amount deposited during the calendar year 1863, was..... \$131,810 95

The total amount withdrawn during the calendar year 1863, was..... 132,559 93

The amount received for interest during the calendar year 1863, was..... 12,234 71

The amount placed to the credit of depositors for the same period, was..... 12,234 71

Rate of ordinary dividends for past year, 5 per cent. less U. S. tax of 3 per cent.

3. ALBANY EXCHANGE BANK, ALBANY.

Resources.

Total amount of stock investments..... \$30,067 50

Cash on deposit in banks..... 74,221 76

\$104,289 26

Liabilities.

Total amount due to depositors..... 104,229 28

Excess of Assets over all liabilities..... 59 98

\$104,289 26

The number of open accounts on the morning of January 1st, 1864, was 277.

The total amount deposited during the calendar year 1863, was..... \$86,873 39

The total amount withdrawn during the calendar year 1863, was..... 56,408 15

The amount received for interest during the calendar year 1863, was..... 3,674 87

The amount placed to the credit of depositors for the same period, was..... 3,509 39

Rate of ordinary dividends for past year, 5 per cent.

4. ATLANTIC SAVINGS BANK, New York.

Resources.

Total amount of bonds and mortgages.....	\$116,943 86
Total amount of stock investments.....	286,800 00
Total amount loaned upon stocks.....	23,695 40
Total amount invested in real estate.....	25,000 00
Cash on deposit in banks.....	52,759 10
Total amount of cash on hand, not deposited in bank	16,509 30
Value of bank furniture, fixtures, &c.....	1,000 00
	<hr/>
	\$522,707 66
	<hr/>

Liabilities.

Total amount due to depositors.....	\$501,418 14
Excess of assets over all liabilities.....	21,289 52
	<hr/>
	\$522,707 66
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 2,153.

The total amount deposited during the calendar year 1863, was..... \$436,095 30

The total amount withdrawn during the calendar year 1863, was..... 209,031 27

The amount received for interest during the calendar year 1863, was..... 27,839 06

The amount placed to the credit of depositors for the same period, was..... 15,566 29

Rate of ordinary dividends for past year, 6 per cent.

5. AUBURN SAVINGS INSTITUTION, AUBURN.

Resources.

Total amount of bonds and mortgages.....	\$117,535 00
Total amount of stock investments.....	425,000 00
Total amount loaned upon stocks.....	4,500 00
Total amount loaned on mortgage collaterals....	9,802 00
Total amount loaned upon personal securities....	21,160 46
Total amount invested in real estate not charged over*	4,000 00

*Note.—The amount of real estate held is \$5,000 ; less amount charged to interest account \$1,000 ; balance to account real estate \$4,000.

Cash on deposit in banks.....	\$67,753 80
Amount held in certificates of other banks, on interest.....	9,980 66
Total amount of cash on hand, not deposited in bank.....	339 22
Total amount loaned or deposited and not included under either of the above heads.....	7,341 22
Total amount loaned on county bonds.....	19,400 00
Total amount loaned on bonds of Gas or Water Co's, (city of Auburn).....	5,000 00
Amount loaned to towns for military bounties..	5,000 00
	<hr/>
	\$696,822 36
	<hr/>

Liabilities.

Total amount due to depositors.....	\$684,153 62
Excess of assets over all liabilities.....	12,668 74
	<hr/>
	\$696,822 36
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 2,986.

The total amount deposited during the calendar year 1863, was..... \$920,329 00

The total amount withdrawn during the calendar year 1863, was..... 725,187 28

The amount received for interest during the calendar year 1863, was..... 40,422 33

The amount placed to the credit of depositors for the same period, was..... 22,922 39

Rate per cent, of interest paid past year, 3 and 5.

6. THE BANK FOR SAVINGS IN THE CITY OF NEW YORK.

Resources.

Total amount of bonds and mortgages.....	\$3,133,100 00
Total amount of stock investments.....	8,030,285 00
Total amount invested in real estate.....	73,756 07
Cash on deposit in banks.....	594,325 87
Total amount of cash on hand, not deposited in bank.....	138,034 27
	<hr/>
	\$11,969,451 30
	<hr/>

Liabilities.

Total amount due to depositors	\$11,363,269 90
Excess of assets over all liabilities	606,181 40
	<u>\$11,969,451 30</u>

The number of open accounts on the morning of January 1st, 1864, was 55,457.

The total amount deposited during the calendar year 1863, was	\$3,540,191 15
The total amount withdrawn during the calendar year 1863, was	2,429,580 73
The amount received for interest during the calendar year 1863, was	576,377 71
The amount placed to the credit of depositors for the same period, was	<u>665,547 14</u>

Rate of ordinary dividends for past year, 4 and 5 per cent, and an extra dividend of the same amount the last half year.

7. BOWERY SAVINGS BANK, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$3,591,635 00
Total amount of stock investments	9,070,619 00
Total amount loaned upon stocks	14,300 00
Total amount invested in real estate	100,000 00
Cash on deposit in banks	105,723 59
Total amount of cash on hand, not deposited in bank	<u>395,973 08</u>
	<u>\$13,278,250 67</u>

Liabilities.

Total amount due to depositors	\$12,179,187 51
Excess of assets over all liabilities	1,099,063 16
	<u>\$13,278,250 67</u>

The number of open accounts on the morning of January 1st, 1864, was 48,156.

The total amount deposited during the calendar year 1863, was	\$6,102,500 00
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Total amount withdrawn during the calendar year 1863, was	\$4,592,472 94
The amount received for interest during the calendar year 1863, was	617,730 72
The amount placed to the credit of depositors for the same period was	<u>426,666 02</u>

Rate of ordinary dividends 4 and 5 per cent., 4 per cent. on balance over \$500.

8. BROADWAY SAVINGS INSTITUTION, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$242,758 01
Total amount of stock investments	801,355 62
Total amount loaned upon stocks	108,500 00
Cash on deposit in banks	82,923 68
Total amount of cash on hand, not deposited in bank	<u>18,275 21</u>
	<u>\$1,253,812 52</u>

Liabilities.

Total amount due to depositors	\$1,172,639 19
Excess of assets over all liabilities	<u>81,173 33</u>
	<u>\$1,253,812 52</u>

The number of open accounts on the morning of January 1st, 1864, was 4,017.

The total amount deposited during the calendar year 1863, was	\$503,125 79
Total amount withdrawn during the calendar year 1863, was	513,224 30
The amount received for interest during the calendar year 1863, was	70,985 98
The amount placed to the credit of depositors for the same period, was	<u>52,760 66</u>

Rate of ordinary dividends for the past year, $5\frac{1}{2}$ per cent.

9. BROOKLYN SAVINGS BANK, BROOKLYN.

Resources.

Total amount of bonds and mortgages	\$1,064,900 00
Total amount of stock investment	4,059,696 26

Total amount invested in real estate, exclusive of banking house	\$10,000 00
Cash on deposit in banks	21,206 27
	<u>\$5,155,802 53</u>

Liabilities.

Total amount due to depositors	\$4,856,928 17
Excess of assets over all liabilities	298,874 36
	<u>\$5,155,802 53</u>

The number of open accounts on the morning of January 1st, 1864, was 18,690.

The total amount deposited during the calendar year 1863, was

\$2,234,590 33

The total amount withdrawn during the calendar year 1863, was

1,681,110 33

The amount received for interest during the calendar year 1863, was

236,927 28

The amount placed to the credit of depositors for the same period, was

191,852 83

Rate of ordinary dividends for past year, 4 and 5 per cent. one-half year, and 5 and 6 per cent. one-half year.

10. BUFFALO SAVINGS BANKS, BUFFALO.

Resources.

Total amount of bonds and mortgages	\$561,352 33
Total amount of stock investments	858,880 00
Total amount invested in real estate, including banking house	19,753 03
Cash on deposit in banks	29,400 00
Total amount of cash on hand, not deposited in bank	105,146 53
	<u>\$1,574,531 89</u>

Liabilities.

Total amount due to depositors	\$1,469,838 86
Excess of assets over all liabilities	104,693 03
	<u>\$1,574,531 89</u>

The number of open accounts on the morning of January 1st, 1864, was 10,920.

The total amount deposited during the calendar year 1863, was	\$763,371 41
The total amount withdrawn during the calendar year 1863, was	777,542 26
The amount received for interest during the calendar year 1863, was	98,639 41
The amount placed to the credit of depositors for the same period was	63,597 20

Rate of ordinary dividends for past year 5 per cent.

11. CENTRAL CITY SAVINGS INSTITUTION, UTICA.

Resources.

Total amount of bonds and mortgages	\$7,203 31
Total amount of stock investments	39,722 51
Total amount loaned upon stocks	6,000 00
Total amount loaned upon personal securities ..	9,841 34
Total amount invested in real estate	1,816 32
Cash on deposit in banks	5,835 02
Total amount of cash on hand, not deposited in bank	655 40
Total amount loaned or deposited and not included under either of the above heads, secured by hypothecated U. S. bonds	5,500 00
Furniture	89 89
	<hr/>
	\$76,663 79

Liabilities.

Total amount due to depositors	\$72,580 42
Excess of assets over all liabilities	4,083 37
	<hr/>
	\$76,663 79

The number of open accounts on the morning of January 1st, 1864, was 339.

The total amount deposited during the calendar year 1863, was	\$84,112 67
The total amount withdrawn during the calendar year 1863, was	37,503 61

The amount received for interest during the calendar year 1863, was.....	\$2,272.76
The amount placed to the credit of depositors for the same period, was.....	1,518.80

Rate of ordinary dividends for past year 5 per cent.

12. CENTRAL SAVINGS BANK OF TROY, TROY.

Resources.

Cash on deposit in banks.....	\$80,783.40
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Liabilities.

Total amount due to depositors.....	\$80,783.40
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The number of open accounts on the morning of January 1st, 1864, was 290.

The total amount deposited during the calendar year 1863, was.....	\$92,529.93
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The total amount withdrawn during the calendar year 1863, was.....	106,416.80
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The amount received for interest during the calendar year 1863, was.....	3,043.96
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The amount placed to the credit of depositors for the same period was.....	3,043.96
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Rate of ordinary dividends for past year, 4 per cent.

13. CHENANGO COUNTY SAVINGS BANK, NORWICH.

Resources.

Cash on deposit in banks.....	\$105,950.20
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Liabilities.

Total amount due to depositors.....	\$105,664.01
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Excess of assets over all liabilities.....	286.19
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\$105,950.20

The number of open accounts on the morning of January 1st, 1864, was 312.

The total amount deposited during the calendar year 1863, was.....	\$156,297.14
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The total amount withdrawn during the calendar year 1863, was.....	97,936.27
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The amount received for interest during the calendar year 1863, was	\$1,664 16
The amount placed to the credit of depositors for the same period, was	1,008 11

Rate of ordinary dividends for past year, 4 per cent.

14. CITIZENS' SAVINGS BANK, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$60,100 00
Total amount of stock investments	415,326 25
Total amount loaned upon stocks	218,150 00
Total amount personal property	2,000 00
Cash on deposit in banks	56,952 75
Total amount of cash on hand, not deposited in bank	19,313 67
Total amount loaned or deposited and not included under either of the above heads	6,440 53
	<u>\$778,283 20</u>

Liabilities.

Total amount due to depositors	750,522 45
Excess of assets over all liabilities	27,760 75
	<u>\$778,283 20</u>

The number of open accounts on the morning of January 1st, 1864, was 3,120.

The total amount deposited during the calendar year 1863, was	\$813,851 43
The total amount withdrawn during the calendar year 1863, was	314,558 33
The amount received for interest during the calendar year 1863, was	34,885 28
The amount placed to the credit of depositors for the same period, was	14,698 39

Rate of ordinary dividends for past year, 6 per cent.

15. COHOES SAVINGS INSTITUTION, COHOES.

Resources.

Total amount of bonds and mortgages	\$5,086 72
Total amount of stock investments	80,079 00

Cash on deposit in banks	\$62,829 82
Total am't of cash on hand, not deposited in bank	11,150 22
	<hr/>
	\$159,145 76
	<hr/>

Liabilities.

Total amount due to depositors	\$159,145 76
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 709.

The total amount deposited during the calendar year 1863, was	\$131,686 84
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The total amount withdrawn during the calendar year 1863, was	80,576 74
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The amount received for interest during the calendar year 1863, was	5,099 69
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The amount placed to the credit of depositors for the same period, was	5,099 69
	<hr/>

Rate of ordinary dividends for past year, 5 per cent.

16. CORNING SAVINGS BANK.

Resources.

Total amount of bonds and mortgages	\$200 00
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Total amount of stock investments	150 00
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Total amount of cash on hand, not deposited in bank	1,686 54
	<hr/>

\$2,036 54

Liabilities.

Total amount due to depositors	\$1,978 81
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Excess of assets over all liabilities	57 73
	<hr/>

\$2,036 54

The number of open accounts on the morning of January 1st, 1864, was 50.

The total amount deposited during the calendar year 1863, was	\$2,825 26
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The total amount withdrawn during the calendar year 1863, was	2,105 11
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The amount received for interest during the calendar year 1863, was	142 46
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The amount placed to the credit of depositors for the same period, was	130 24
	<hr/>

17. DIME SAVINGS BANK OF BROOKLYN, BROOKLYN.

<i>Resources.</i>	
Total amount of bonds and mortgages.....	\$274,400 00
Total amount of stock investments.....	567,450 00
Cash on deposit in banks.....	19,811 66
Total amount of cash on hand, not deposited in bank.....	5,305 64
	<hr/>
	\$866,967 20
	<hr/>

<i>Liabilities.</i>	
Total amount due to depositors.....	\$841,845 01
Excess of assets over all liabilities.....	25,122 19
	<hr/>
	\$866,967 20
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 9,714.

The total amount deposited during the calendar year 1863, was..... \$657,558 '88

The total amount withdrawn during the calendar year 1863, was..... 332,850 00

The amount received for interest during the calendar year 1863, was..... 66,147 78

The amount placed to the credit of depositors for the same period, was..... 35,029 50

Rate of ordinary dividends for past year, 6 per cent. on \$500, and 5 per cent. over.

18. DRY DOCK SAVINGS INSTITUTION.

<i>Resources.</i>	
Total amount of bonds and mortgages.....	\$598,770 00
Total amount of stock investments.....	2,341,700 00
Total amount loaned upon stocks.....	48,000 00
Total amount invested in real estate.....	55,081 35
Cash on deposit in banks.....	123,218 46
Total amount of cash on hand, not deposited in bank.....	136,003 55
Total amount loaned or deposited, and not included under either of the above heads, being a deposit with Treasurer of United States...	225,000 00
	<hr/>
	\$3,527,773 36
	<hr/>

Liabilities.

Total amount due to depositors.....	\$3,407,641 86
Excess of assets over all liabilities.....	120,131 50
	<hr/>
	\$3,527,773 36
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 9,164.

The total amount deposited during the calendar year 1863, was..... \$1,747,075 00

The total amount withdrawn during the calendar year 1863, was..... 1,141,236 74

The amount received for interest during the calendar year 1863, was..... 240,019 34

The amount placed to the credit of depositors for the same period, was..... 138,820 51

Rate of ordinary dividends for past year, 6 and 5 per cent.

19. EAST BROOKLYN SAVINGS BANK, BROOKLYN.

Resources.

Total amount of bonds and mortgages.....	\$33,100 00
Total amount of stock investments.....	53,500 00
Cash on deposit in banks.....	1,564 85
Total amount of cash on hand, not deposited in bank.....	1,961 87
Total amount loaned or deposited and not included under either of the above heads, consisting of safe, furniture.....	1,078 02
	<hr/>
	\$91,204 74
	<hr/>

Liabilities.

Total amount due to depositors.....	\$89,296 22
Excess of assets over all liabilities.....	1,908 52
	<hr/>
	\$91,204 74
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 948.

The total amount deposited during the calendar year 1863, was..... \$93,949 57

The total amount withdrawn during the calendar year 1863, was..... 49,976 21

The amount received for interest during the calendar year 1863, was..... \$3,263 01

The amount placed to the credit of depositors for the same period, was..... 2,485 17

Rate of ordinary dividends for past year 6 and 5 per cent.

20. EAST RIVER SAVINGS INSTITUTION, NEW YORK.

Resources.

Total amount of bonds and mortgages.....	\$311,825 00
Total amount of stock investments.....	1,135,700 00
Total amount loaned upon stocks.....	20,000 00
Total amount invested in real estate.....	54,936 73
Cash on deposit in banks.....	32,586 75
Total amount of cash on hand, not deposited in bank.....	14,734 11
	<u>\$1,569,782 59</u>

Liabilities.

Total amount due to depositors.....	\$1,428,843 18
Excess of assets over all liabilities.....	140,939 41
	<u>\$1,569,782 59</u>

The number of open accounts on the morning of January 1st, 1864, was 5,987:

The total amount deposited during the calendar year 1863, was..... \$756,549 09

The total amount withdrawn during the calendar year 1863, was..... 613,437 15

The amount received for interest and rent during the calendar year 1863, was..... 71,521 64

The amount placed to the credit of depositors for the same period, was..... 65,477 89

Rate of ordinary dividends for past year 6 per cent. on \$500 and under; 5 per cent. over \$500.

21. ELMIRA SAVINGS BANK, ELMIRA.

Resources.

Total amount of bonds and mortgages.....	\$13,487 22
Total amount of stock investments.....	10,000 00

Total amount of cash on hand, not deposited in bank	\$7,032 41
	<hr/>
	\$30,519 63
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$29,465 92
Excess of assets over all liabilities	1,053 71
	<hr/>
	\$30,519 63
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 126.

The total amount deposited during the calendar year 1863, was

\$27,510 14

The total amount withdrawn during the calendar year 1863, was

4,975 01

The amount received for interest during the calendar year 1863, was

793 52

The amount placed to the credit of depositors for the same period, was

288 65

Rate of ordinary dividends for past year 6 per cent, less government tax.

22. EMIGRANT INDUSTRIAL SAVINGS BANK, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$1,242,754 68
Total amount of stock investments	1,440,373 70
Total amount loaned upon stocks	609,295 00
Total amount invested in real estate	113,498 85
Cash on deposit in banks	94,452 14
Total amount of cash on hand, not deposited in bank	93,811 10
	<hr/>
	\$3,594,185 47
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$3,425,621 29
Excess of assets over all liabilities	168,564 18
	<hr/>
	\$3,594,185 47
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 13,211.

The total amount deposited during the calendar year 1863, was \$1,804,034 64

The total amount withdrawn during the calendar year 1863, was 1,326,671 92

The amount received for interest during the calendar year 1863, was 184,841 95

The amount placed to the credit of depositors for the same period, was 120,247 11

Rate of ordinary dividends for past year, 5 per cent on \$500 and under, and 4 per cent on sums over \$500.

23. EMIGRANT SAVINGS BANK OF BUFFALO, BUFFALO.

Resources.

Total amount of bonds and mortgages	\$2,560 00
Total amount of stock investments	20,000 00
Total amount loaned upon stocks	9,631 41
Cash on deposit in banks	17,501 77
Total amount of cash on hand, not deposited in bank	23,277 08
Total amount loaned or deposited and not included under either of the above heads	4,322 04
Bank safe and furniture	350 00
Interest accrued to January 1st	2,627 16
	<hr/>
	\$80,269 46
	<hr/>

Liabilities.

Total amount due to depositors	\$79,444 81
Excess of assets over all liabilities	824 65
	<hr/>
	\$80,269 46
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 442.

The total amount deposited during the calendar year 1863, was \$127,029 00

The total amount withdrawn during the calendar year 1863, was 93,260 22

The amount received for interest during the calendar year 1863, was \$1,559 10

The amount placed to the credit of depositors for the same period, was 2,388 20

Rate of ordinary dividends for past year 5 per cent.

24. ERIE COUNTY SAVINGS BANK, BUFFALO.

Resources.

Total amount of bonds and mortgages	\$353,993 42
Total amount of stock investments	1,275,943 63
Total amount loaned upon stocks	150,600 00
Total amount loaned upon personal securities ..	146,409 96
Total amount invested in real estate	9,905 25
Cash on deposit in banks	255,153 10
Total amount of cash on hand, not deposited in bank	55,673 54
	<hr/>
	\$2,247,678 90
	<hr/>

Liabilities.

Total amount due to depositors	\$2,178,374 53
Excess of assets over all liabilities	69,304 37
	<hr/>
	\$2,247,678 90
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 10,465.

The total amount deposited during the calendar year 1863, was \$3,616,233 49

The total amount withdrawn during the calendar year 1863, was 3,205,566 12

The amount received for interest during the calendar year 1863, was 116,579 23

The amount placed to the credit of depositors for the same period, was 68,694 92

Rate of ordinary dividends for past year 5 per cent.

25. FISHKILL SAVINGS INSTITUTE, FISHKILL.

Resources.

Total amount of bonds and mortgages	\$10,600 00
Total amount of stock investments	95,500 00

Cash on deposit in banks.....	\$8,632 61
Total amount loaned or deposited and not included under either of the above heads*.....	10,000 00
Personal estate and expense account including all expenses of every kind, since the organization of the institution March 14, 1857.....	1,985 54
	<hr/>
	\$126,718 15
	<hr/>

Liabilities.

Total amount due to depositors.....	\$119,635 15
Total number of depositors, 511. Average balance to each account, \$230.22	
Balance of interest account.....	\$3,765 01
Balance of premium account.....	3,317 99
Excess of assets over all liabilities..	<hr/> 7,083 00
	<hr/>
	\$126 718 15
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 511.

The total amount deposited during the calendar year 1863, was..... \$69,837 00

The total amount withdrawn during the calendar year 1863, was..... 24,646 67

The amount received for interest during the calendar year 1863, was..... 5,120 48

The amount placed to the credit of depositors for the same period, was.....

3,725 10

Rate of ordinary dividends for past year, 5 per cent.

26. FRANKLIN SAVINGS BANK, NEW YORK.

Resources.

Total amount of stock investments.....	\$51,871 30
Cash on deposit in banks.....	1,095 02
Total amount of cash on hand, not deposited in bank.....	511 05
	<hr/>
	\$53,477 37
	<hr/>

* This is a special deposit in the bank of Fishkill, for which certificates of deposit are held.

Liabilities.

Total amount due to depositors.....	\$51,321 44
Excess of assets over all liabilities.....	2,155 93
	<hr/>
	\$53,477 37
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 350.

The total amount deposited during the calendar year 1863, was.....	\$55,370 86
The total amount withdrawn during the calendar year 1863, was.....	19,988 66
The amount received for interest during the calendar year 1863, was.....	2,409 76
The amount placed to the credit of depositors for the same period, was.....	1,606 57
	<hr/>

Rate of ordinary dividends for past year, 6 per cent.

27. GERMAN SAVINGS BANK IN THE CITY OF NEW YORK, NEW YORK.

Resources.

Total amount of bonds and mortgages.....	\$606,818 50
Total amount of stock investments.....	1,468,559 88
Total amount loaned upon stocks.....	40,100 00
Total amount invested in real estate.....	45,727 69
Cash on deposit in banks.....	238,198 46
Total amount of cash on hand, not deposited in bank.....	63,009 28
	<hr/>
	\$2,462,413 79
	<hr/>

Liabilities.

Total amount due to depositors.....	\$2,444,413 79
Excess of assets over all liabilities.....	18,000 00
	<hr/>
	\$2,462,413 79
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 10,940.

The total amount deposited during the calendar year 1863, was.....	\$1,858,553 15
The total amount withdrawn during the calendar year 1863, was.....	997,956 45

The amount received for interest during the calendar year 1863, was	\$102,374 60
The amount placed to the credit of depositors for the same period, was	63,898 17

Rate of ordinary dividends for past year, 5 per cent.

28. GREENWICH SAVINGS BANK, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$1,387,166 00
Total amount of stock investments	1,984,771 00
Total amount loaned upon stocks	475,000 00
Total amount invested in real estate	50,000 00
Cash on deposit in banks	371,953 86
Total amount of cash on hand, not deposited in bank	30,001 41
Total amount loaned or deposited and not included under either of the above heads, U. S. Treasurer's certificate of deposit at 5 per cent	180,000 00
	<u>\$4,478,892 27</u>

Liabilities.

Total amount due to depositors	\$4,188,262 91
Excess of assets over all liabilities	290,629 36
	<u>\$4,478,892 27</u>

The number of open accounts on the morning of January 1st, 1864, was 18,005.

The total amount deposited during the calendar year 1863, was	\$1,695,660 99
The total amount withdrawn during the calendar year 1863, was	1,240,175 88
The amount received for interest during the calendar year 1863, was	212,824 93
The amount placed to the credit of depositors for the same period, was	156,672 62

Rate of ordinary dividends for past year, 4 and 5 per cent.

29. HARLEM SAVINGS BANK, HARLEM.

Resources.

Total amount of stock investments	\$4,000 00
Cash on deposit in banks	896 46

Total amount of cash on hand, not deposited in bank	\$488 82
Safe, furniture, and fixtures	1,500 00
	<u>\$6,885 28</u>

Liabilities.

Total amount due to depositors	\$6,505 60
Commenced June 10, 1863.	
Excess of assets over all liabilities	<u>\$79 68</u>
	<u>\$6,885 28</u>

The number of open accounts on the morning of January 1st, 1864, was 88.

The total amount deposited during the calendar year 1863, 6 months, was

Total amount withdrawn during the calendar year 1863, 6 months, was

The amount received for interest during the calendar year 1863, 6 months, was

The amount placed to the credit of depositors for the same period, 6 months, was

Rate of ordinary dividends for the past year, 6 per cent.

30. HUDSON CITY SAVINGS INSTITUTION, HUDSON.

Resources.

Total amount of bonds and mortgages	\$53,510 55
Total amount of stock investments	111,722 00
Total amount loaned upon stocks	8,600 00
Cash on deposit in banks, Hudson River	4,645 00
Total amount of cash on hand, not deposited in bank	6,087 78
Iron safe, fixtures and furniture	600 00
Balance of accrued interest	500 00
	<u>\$185,665 33</u>

Liabilities.

Total amount due to depositors	\$178,002 92
Excess of assets over all liabilities	<u>7,662 41</u>
	<u>\$185,665 33</u>

The number of open accounts on the morning of January 1st, 1864, was 988.

The total amount deposited during the calendar year 1863, was \$111,905 29

Total amount withdrawn during the calendar year 1863, was 46,017 74

The amount received for interest during the calendar year 1863, was 11,268 30

The amount placed to the credit of depositors for the same period, was 5,000 02

Rate of ordinary dividends for past year, 5 per cent.

31, INSTITUTION FOR THE SAVINGS OF MERCHANTS' CLERKS, N. Y.

Resources.

Total amount of bonds and mortgages \$495,500 00

Total amount of stock investments 1,260,597 51

Total amount loaned upon stocks 155,708 80

Total amount invested in real estate 65,326 99

Cash on deposit in banks 48,074 05

Total amount loaned or deposited and not in-

cluded under either of the above heads, viz.,

in United States Trust Company 1,249 36

\$2,026,456 71

Liabilities.

Total amount due to depositors \$1,911,512 34

Excess of assets over all liabilities 114,944 37

\$2,026,456 71

The number of open accounts on the morning of January 1st, 1864, was 7,631.

The total amount deposited during the calendar year 1863, was \$1,027,046 03

The total amount withdrawn during the calendar year 1863, was 1,082,723 41

The amount received for interest during the calendar year 1863, was 112,437 70

The amount placed to the credit of depositors for the same period, was 81,184 40

[Rate of ordinary dividends for past year, 5 per cent. on sums of \$500 and under, and 4 per cent. on larger sums.]

32. IRVING SAVINGS INSTITUTION, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$428,800 00
Total amount of stock investments	929,050 00
Total amount loaned upon stocks	1,850 00
Total amount invested in real estate	24,000 00
Cash on deposit in banks	80,089 33
Total amount of cash on hand, not deposited in bank	185,077 48
	<hr/>
	\$1,568,866 91

Liabilities.

Total amount due to depositors	\$1,518,934 39
Excess of assets over all liabilities	49,932 52
	<hr/>
	\$1,568,866 91

The number of open accounts on the morning of January 1st, 1864, was 5,721.

The total amount deposited during the calendar year 1863, was \$621,503 10

The total amount withdrawn during the calendar year 1863, was 414,775 24

The amount received for interest during the calendar year 1863, was 87,402 58

The amount placed to the credit of depositors for the same period, was 68,114 96

Rate of ordinary dividends for past year, 6 per cent.

33. JEFFERSON COUNTY SAVINGS BANK, WATERTOWN.

Resources.

Total amount of bonds and mortgages	\$34,344 55
Total amount of stock investments	54,467 84
Cash on deposit in banks	26,113 87
Total amount of cash on hand, not deposited in bank	4,317 98
County orders	3,562 16
Fixtures and furniture	184 62
	<hr/>
	\$122,991 02

The number of open accounts on the morning of January 1st, 1864, was 988.

The total amount deposited during the calendar year 1863, was \$111,905 29

Total amount withdrawn during the calendar year 1863, was 46,017 74

The amount received for interest during the calendar year 1863, was 11,268 30

The amount placed to the credit of depositors for the same period, was 5,000 02

Rate of ordinary dividends for past year, 5 per cent.

31. INSTITUTION FOR THE SAVINGS OF MERCHANTS' CLERKS, N. Y.

Resources.

Total amount of bonds and mortgages \$495,500 00

Total amount of stock investments 1,260,527 51

Total amount loaned upon stocks 155,708 80

Total amount invested in real estate 65,326 99

Cash on deposit in banks 48,074 05

Total amount loaned or deposited and not included under either of the above heads, viz.,

in United States Trust Company 1,249 36

\$2,026,456 71

Liabilities.

Total amount due to depositors \$1,911,512 34

Excess of assets over all liabilities 114,944 37

\$2,026,456 71

The number of open accounts on the morning of January 1st, 1864, was 7,631.

The total amount deposited during the calendar year 1863, was \$1,027,046 08

The total amount withdrawn during the calendar year 1863, was 1,082,723 41

The amount received for interest during the calendar year 1863, was 112,437 70

The amount placed to the credit of depositors for the same period, was 81,184 40

Rate of ordinary dividends for past year, 5 per cent. on sums of \$500 and under, and 4 per cent. on larger sums.

32. IRVING SAVINGS INSTITUTION, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$428,800 00
Total amount of stock investments	929,050 00
Total amount loaned upon stocks	1,850 00
Total amount invested in real estate	24,000 00
Cash on deposit in banks	88,082 33
Total amount of cash on hand, not deposited in bank	185,077 58
	<hr/>
	\$1,568,866 91

Liabilities.

Total amount due to depositors	\$1,518,934 39
Excess of assets over all liabilities	49,932 52
	<hr/>
	\$1,568,866 91

The number of open accounts on the morning of January 1st, 1864, was 5,721.

The total amount deposited during the calendar year 1863, was \$621,503 10

The total amount withdrawn during the calendar year 1863, was 414,775 24

The amount received for interest during the calendar year 1863, was 87,402 58

The amount placed to the credit of depositors for the same period, was 68,114 96

Rate of ordinary dividends for past year, 6 per cent.

33. JEFFERSON COUNTY SAVINGS BANK, WATERTOWN.

Resources.

Total amount of bonds and mortgages	\$34,344 55
Total amount of stock investments	54,467 84
Cash on deposit in banks	26,113 87
Total amount of cash on hand, not deposited in bank	4,317 98
County orders	3,562 16
Fixtures and furniture	184 62
	<hr/>
	\$122,991 02

REPORT ON SAVINGS BANK.

<i>Liabilities.</i>	
Total amount due to depositors	\$121,239 47
Excess of assets over all liabilities	1,751 55
	<u>\$122,991 02</u>

(The number of open accounts on the morning of January 1st, 1864, was 621.

The total amount deposited during the calendar year 1863, was \$152,290 18

The total amount withdrawn during the calendar year 1863, was 100,634 85

The amount received for interest during the calendar year 1863, was 4,708 95

The amount placed to the credit of depositors for the same period was 3,440 46

Rate of ordinary dividends for past year 5 per cent.

34. KING'S COUNTY SAVINGS INSTITUTION, BROOKLYN.

<i>Resources.</i>	
Total amount of bonds and mortgages	\$26,800 00
Total amount of stock investments	160,528 00
Total amount loaned upon stocks	23,250 00
Cash on deposit in banks	7,787 25
Total amount of cash on hand, not deposited in bank	4,638 68
Office furniture	1,215 00
Bank safe purchased	700 00
Balance of interest due bank Jan. 1, 1864	5,610 18
	<u>\$280,529 11</u>

<i>Liabilities.</i>	
Total amount due to depositors	\$226,208 20
Excess of assets over all liabilities	4,320 91
	<u>\$230,529 11</u>

The number of open accounts on the morning of January 1st, 1864, was 1,094:

The total amount deposited during the calendar year 1863, was \$196,439 93

The total amount withdrawn during the calendar year 1863, was.....	\$83,786 29
The amount received for interest during the calendar year 1863, was.....	8,877 90
The amount placed to the credit of depositors for the same period, was.....	8,679 34
<hr/>	
Rate of ordinary dividends for past year 6 per cent.	

35. MANHATTAN SAVINGS INSTITUTION, NEW YORK.

Resources.

Total amount of bonds and mortgages.....	\$872,946 78
Total amount of stock investments.....	1,888,952 25
Total amount loaned upon stocks.....	453,554 72
Total amount invested in real estate.....	109,961 31
Cash on deposit in banks.....	187,480 59
Total amount of cash on hand, not deposited in bank.....	35,016 18
	<hr/>
	\$3,547,911 78
	<hr/>

Liabilities.

Total amount due to depositors.....	\$3,395,532 25
Excess of assets over all liabilities.....	152,379 53
	<hr/>
	\$3,547,911 78
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 13,506.

The total amount deposited during the calendar year 1863, was.....	\$1,854,952 69
The total amount withdrawn during the calendar year 1863, was.....	1,770,627 84
The amount received for interest during the calendar year 1863, was.....	202,740 31
The amount placed to the credit of depositors for the same period, was.....	135,299 54
	<hr/>

Rate of ordinary dividends for past year, 5 per cent. on \$500 and less, and 4 per cent. exceeding \$500.

36. MANUFACTURERS' SAVINGS BANK, Troy.

Resources.

Cash on deposit in banks	\$106,746 41
Total amount of cash on hand, not deposited in bank	17 00
	<hr/> \$106,763 41 <hr/>

Liabilities.

Total amount due to depositors	\$106,650 91
Excess of assets over all liabilities	112 50
	<hr/> \$106,763 41 <hr/>

The number of open accounts on the morning of January 1st, 1864, was 450.

The total amount deposited during the calendar year 1863, was

\$14,436 86

The total amount withdrawn during the calendar year 1863, was

30,414 18

The amount received for interest during the calendar year 1863, was

6,111 52

The amount placed to the credit of depositors for the same period, was

6,111 52

37. MARINERS' SAVINGS INSTITUTION, New York.

Resources.

Total amount of bonds and mortgages	\$171,913 99
Total amount of stock investments	837,641 00
Total amount loaned upon stocks	83,500 00
Total amount invested in real estate	25,000 00
Cash on deposit in banks	133,474 98
Total amount of cash on hand, not deposited in bank	4,094 23
	<hr/> \$1,255,624 20 <hr/>

Liabilities.

Total amount due to depositors	\$1,196,462 02
Excess of assets over all liabilities	59,162 18
	<hr/> \$1,255,624 20 <hr/>

The number of open accounts on the morning of January 1st, 1864, was 4,645.

The total amount deposited during the calendar year 1863, was..... \$1,159,213 10

The total amount withdrawn during the calendar year 1863, was..... 870,432 71

The amount received for interest during the calendar year 1863, was..... 72,972 73

The amount placed to the credit of depositors for the same period, was..... 49,836 85

38. MECHANICS' AND FARMER'S SAVINGS BANK, ALBANY.

Resources.

Cash on deposit in banks..... \$885,321 15

Total amount of cash on hand, not deposited in bank..... 7,828 64

\$893,149 79

Liabilities.

Total amount due to depositors..... \$893,149 79

The number of open accounts on the morning of January 1st, 1864, was 2,473.

The total amount deposited during the calendar year 1863, was..... \$592,439 34

The total amount withdrawn during the calendar year 1863, was..... 577,030 83

The amount received for interest during the calendar year 1863, was..... 35,505 77

The amount placed to the credit of depositors for the same period, was..... 35,505 77

Rate of ordinary dividends for past year, 5 per cent. for the greater amount, 3 and 4 per cent. on small amount.

39. MECHANICS' AND TRADERS' SAVINGS INSTITUTION, NEW YORK.

Resources.

Total amount of bonds and mortgages..... \$72,600 00

Total amount of stock investments..... 1,081,733 19

Total amount invested in real estate..... 34,477 86

Cash on deposit in banks..... 68,660 91

Total amount of cash on hand, not deposited in bank	\$6,000 00
Total amount loaned or deposited, and not included under either of the above heads	49,677 77
	<u>\$1,307,149 73</u>

Liabilities.

Total amount due to depositors	\$1,244,360 50
Excess of assets over all liabilities	62,789 23
	<u>\$1,307,149 73</u>

The number of open accounts on the morning of January 1st, 1864, was 4,267.

The total amount deposited during the calendar year 1863, was	\$932,262 06
The total amount withdrawn during the calendar year 1863, was	330,974 00
The amount received for interest during the calendar year 1863, was	71,015 61
The amount placed to the credit of depositors for the same period, was	53,025 24

Rate of ordinary dividends for past year 6 per cent.

40. MONROE COUNTY SAVINGS BANK, ROCHESTER.

Resources.

Total amount of bonds and mortgages	\$311,351 00
Total amount of stock investments	581,600 00
Total amount loaned upon stocks	124,625 00
Total amount invested in real estate	32,973 12
Cash on deposit in banks	227,395 20
Total amount of cash on hand, not deposited in bank	48,379 06
Total amount loaned or deposited and not included under either of the above heads, being accrued interest	9,882 40
	<u>\$1,336,205 78</u>

Liabilities.

Total amount due to depositors	\$1,286,576 75
Excess of assets over all liabilities	49,629 03
	<u>\$1,336,205 78</u>

The number of open accounts on the morning of January 1st, 1864, was 3,650.

The total amount deposited during the calendar year 1863, was \$1,285,201 80

The total amount withdrawn during the calendar year 1863, was 1,035,970 63

The amount received for interest during the calendar year 1863, was 64,346 06

The amount placed to the credit of depositors for the same period was 52,996 35

Rate of ordinary dividends for past year, 5 and 6 per cent.

41. MUTUAL SAVINGS BANK OF TROY, TROY.

Resources.

Cash on deposit in banks \$65,721 34

Liabilities.

Total amount due to depositors \$65,721 34

The number of open accounts on the morning of January 1st, 1864, was 315.

The total amount deposited during the calendar year 1863, was \$40,189 15

The total amount withdrawn during the calendar year 1863, was 43,690 88

The amount received for interest during the calendar year 1863, was 3,363 23

The amount placed to the credit of depositors for the same period, was 3,363 23

Rate of ordinary dividends for past year, 5½ per cent.

42. NEWBURGH SAVINGS BANK, NEWBURGH.

Resources.

Total amount of bonds and mortgages \$118,027 00

Total amount of stock investments 867,016 17

Total amount loaned upon personal securities .. 32,000 00

Cash on deposit in banks 39,316 22

\$556,359 39

Liabilities.

Total amount due to depositors	\$532,017 55
Excess of assets over all liabilities	24,341 84
	<hr/>
	\$556,359 39
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 2,866.

The total amount deposited during the calendar year 1863, was \$353,201 97

The total amount withdrawn during the calendar year 1863, was 176,022 70

The amount received for interest during the calendar year 1863, was 28,995 21

The amount placed to the credit of depositors for the same period, was 15,191 29

Rate of ordinary dividends for past year 5 per cent.

43. NEW YORK SAVINGS BANK, NEW YORK.

Resources.

Total amount of stock investments	\$96,671 26
Total amount loaned upon stocks	154,500 00
Cash on deposit in banks	7,013 81
Total am't of cash on hand not deposited in bank	2,252 66
Interest accrued on the above loans and investments	2,846 79
	<hr/>
	\$263,284 52
	<hr/>

Liabilities.

Total amount due to depositors	\$250,065 83
Excess of assets over all liabilities	13,219 19
	<hr/>
	\$263,284 52
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 1,176.

The total amount deposited during the calendar year 1863, was \$179,396 08

The total amount withdrawn during the calendar year 1863, was 90,488 03

The amount received for interest during the calendar year 1863, was 18,862 85

The amount placed to the credit of depositors
for the same period, was..... \$8,668 84

Rate of ordinary dividends for past year, 6 per cent. on sums
of \$500 and under, and 5 per cent on larger amounts.

44. NIAGARA COUNTY SAVINGS BANK, LOCKPORT.

Resources.

Total amount of stock investments	\$2,537 50
Cash on deposit in banks	2,216 32
Total am't of cash on hand, not deposited in bank	989 11
Expense account	78 53
	<u>\$5,771 46</u>

Liabilities.

Total amount due to depositors	\$5,460 28
Excess of assets over all liabilities	311 18
	<u>\$5,771 46</u>

The number of open accounts on the morning of January 1st,
1864, was 43.

The total amount deposited during the calendar
year 1863, was, \$7,998 81

The total amount withdrawn during the calendar
year 1863, was 5,304 94

The amount received for interest during the
calendar year 1863, was 177 62

The amount placed to the credit of depositors
for the same period; was 146 10

Rate of ordinary dividends for past year, 5 per cent.

45. ONONDAGA COUNTY SAVINGS BANK, SYRACUSE.

Resources.

Total amount of bonds and mortgages	\$240,575 00
Total amount of stock investments	500,000 00
Total amount loaned upon stocks	9,235 00
Total amount loaned upon personal securities ..	114,415 00
Cash on deposit in banks*	227,589 91
Total amount of cash on hand, not deposited in bank	<u>23,019 60</u>

* This item includes \$60,000, deposited with the Assistant Treasurer U. S., at New York.

Unpaid interest due on loans and investments	\$18,942 68
Investments in city and county bonds	112,400 00
	<hr/>
	\$1,245,877 17
	<hr/>

Liabilities.

Total amount due to depositors	\$1,219,427 49
Excess of assets over all liabilities	26,449 68
	<hr/>
	\$1,245,877 17
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 5,429.

The total amount deposited during the calendar year 1863, was \$2,087,001 76

The total amount withdrawn during the calendar year 1863, was 1,667,134 98

The amount received for interest during the calendar year 1863, was 57,092 69

The amount placed to the credit of depositors for the same period, was 45,727 54

Rate of ordinary dividends for past year, 5 per cent. less government tax.

46. Oswego City Savings Bank, Oswego.

Resources.

Total amount of bonds and mortgages	\$26,339 49
Total amount of stock investments	82,400 00
Total amount loaned upon stocks	1,100 00
Cash on deposit in banks	74,926 57
Total amount of cash on hand, not deposited in bank	2,898 62
Total amount loaned on county orders and bonds	3,107 06
Total amount loaned on city orders and bonds	10,036 56
Interest due January 1st, 1864	1,819 20
	<hr/>
	\$202,618 50
	<hr/>

REPORT ON SAVINGS BANKS

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Liabilities.

Total amount due to depositors.....	\$201,206 68
Excess of assets over all liabilities.....	1,411 82
	<hr/> \$202,618 50 <hr/>

The number of open accounts on the morning of January 1st, 1864, was 1,063.

The total amount deposited during the calendar year 1863, was.....	\$328,175 06
The total amount withdrawn during the calendar year 1863, was.....	235,116 59
The amount received for interest during the calendar year 1863, was.....	10,364 59
The amount placed to the credit of depositors for the same period, was.....	7,121 54

Rate of ordinary dividends for past year, 5 per cent. per annum.

47. PEEKSKILL SAVINGS BANK, PEEKSKILL.

Resources.

Total amount of bonds and mortgages.....	\$10,850 00
Total amount of stock investments.....	100,000 00
Total amount loaned upon personal securities..	2,400 00
Cash on deposit in banks.....	10,486 45
Total amount of cash on hand, not deposited in bank.....	500 00
	<hr/> \$123,736 45 <hr/>

Liabilities.

Total amount due to depositors.....	\$120,690 58
Excess of assets over all liabilities.....	3,045 87
	<hr/> \$123,736 45 <hr/>

The number of open accounts on the morning of January 1st, 1864, was 751.

The total amount deposited during the calendar year 1863, was.....	\$90,880 93
The total amount withdrawn during the calendar year 1863, was.....	35,366 31

The amount received for interest during the calendar year 1863, was..... \$6,389 78

The amount placed to the credit of depositors for the same period, was 3,894 53

Rate of ordinary dividends for past year, 5 per cent.

48. POUGHKEEPSIE SAVINGS BANK, POUGHKEEPSIE.

Resources.

Total amount of bonds and mortgages..... \$497,147 85

Total amount of stock investments, par \$203,500, premium \$2,120 \$205,620 00

Total amount loaned upon stocks..... 54,900 00

Total amount invested in real estate..... 5,000 00

Cash on deposit in banks..... 23,010 40

Total amount of cash on hand, not deposited in bank 1,000 00

\$796,678 25

Liabilities.

Total amount due to depositors..... \$743,154 25

Excess of assets over all liabilities..... 53,524 00

\$796,678 25

The number of open accounts on the morning of January 1st, 1864, was 3,763.

The total amount deposited during the calendar year 1863, was..... \$296,977 77

The total amount withdrawn during the calendar year 1863, was,..... 187,341 84

The amount received for interest during the calendar year 1863, was..... 40,609 16

The amount placed to the credit of depositors for the same period, was..... 27,178 75

Rate of ordinary dividends 5 per cent. per annum or $2\frac{1}{2}$ every 6 months on all sums.

14. QUEENS COUNTY SAVINGS BANK, FLUSHING.

Resources.

Total amount of bonds and mortgages..... \$7,500 00

Total amount of stock investments..... 54,000 00

REPORT ON SAVINGS BANKS.

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Cash on deposit in banks.....	\$3,011 90
Total amount of cash on hand, not deposited in bank	850 13
Total amount loaned or deposited and not included under either of the above heads.....	2,500 00
	<hr/>
	\$67,862 03
	<hr/>

Liabilities.

Total amount due to depositors	\$67,123 96
Excess of assets over all liabilities	738 07
	<hr/>
	\$67,862 03
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 1,193.

The total amount deposited during the calendar year 1863, was.....	\$47,210 53
The total amount withdrawn during the calendar year 1863, was.....	22,427 64
The amount received for interest during the calendar year 1863, was.....	3,563 47
The amount placed to the credit of depositors for the same period, was.....	2,324 84
	<hr/>

Rate of ordinary dividends for past year, 5 per cent.

50. RHINEBECK SAVINGS BANK, RHINEBECK.

Resources.

Total amount of stock investments.....	\$18,750 00
Cash on deposit in banks.....	19,017 79
Total amount of cash on hand, not deposited in bank	723 65
Total amount invested in office fixtures, safe, etc.	281 79
	<hr/>
	\$38,773 23
	<hr/>

Liabilities.

Total amount due to depositors.....	\$37,018 78
Excess of assets over all liabilities.....	1,754 45
	<hr/>
	\$38,773 23
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 246.

The total amount deposited during the calendar year 1863, was \$26,000 15

The total amount withdrawn during the calendar year 1863, was 5,756 15

The amount received for interest during the calendar year 1863, was 1,424 30

The amount placed to the credit of depositors for the same period, was 1,183 24

Rate of ordinary dividends for past year, 5 per cent.

51. ROCHESTER SAVINGS BANK, ROCHESTER.

Resources.

Total amount of bonds and mortgages	\$1,089,996 00
Total amount of stock investments	1,015,160 00
Total amount loaned upon stocks	7,000 00
Total amount invested in real estate, including banking house and lot	108,609 28
Cash on deposit in banks	277,950 77
Total amount of cash on hand, not deposited in bank	26,007 04
Total amount loaned or deposited and not included under either of the above heads, being accrued interest on mortgages, etc.	59,381 86
	<hr/>
	\$2,584,104 95
	<hr/>

Liabilities.

Total amount due to depositors	\$2,423,792 82
United States dividend tax	1,456 65
Excess of assets over all liabilities	158,855 48
	<hr/>
	\$2,584,104 95
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 8,406.

The total amount deposited during the calendar year 1863, was \$1,288,953 25

The total amount withdrawn during the calendar year 1863, was 1,435,006 18

The amount received for interest during the calendar year 1863, was 149,454 69

The amount placed to the credit of depositors for the same period, was..... \$107,062 00

52. ROME SAVINGS BANK, ROME.

Resources.

Total amount of bonds and mortgages	\$93,204 73
Total amount of stock investments	52,500 00
Total amount loaned upon stocks.....	3,000 00
Total amount loaned on personal securities	14,622 00
Cash on deposit in banks.....	62,155 72
Total amount loaned or deposited and not included under either of the above heads	5,176 43
	<u>\$230,658 88</u>

Liabilities.

Total amount due to depositors	\$222,431 89
Excess of assets over all liabilities	8,226 99
	<u>\$230,658 88</u>

The number of open accounts on the morning of January 1st, 1864, was 797.

The total amount deposited during the calendar year 1863, was.....	\$123,385 09
Total amount withdrawn during the calendar year 1863, was.....	39,464 04
The amount received for interest during the calendar year 1863, was.....	8,853 90
The amount placed to the credit of depositors for the same period, was	<u>7,657 80</u>

Rate of ordinary dividends for the past year, 5 per cent.

53. SAG HARBOR SAVINGS BANK, SAG HARBOR.

Resources.

Total amount of bonds and mortgages.....	\$51,535 96
Total amount of stock investments.....	10,168 50
Total amount loaned on personal securities	3,227 28
Cash on deposit in banks.....	1,681 34
Total amount of cash on hand, not deposited in bank	1 11

Total amount loaned or deposited and not included under either of the above heads	\$1,359 40
Excess of liabilities over assets	6,012 65
	<hr/>
	\$73,986 24
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$73,986 24
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 766.

The total amount deposited during the calendar year 1863, was	\$20,877 82
Total amount withdrawn during the calendar year 1863, was	13,454 49
The amount received for interest during the calendar year 1863, was	3,581 37
The amount placed to the credit of depositors for the same period, was	1,251 28
	<hr/> <hr/>

Rate of ordinary dividends for past year, 5 per cent.

54. SAVINGS BANK OF UTICA, UTICA.

Resources.

Total amount of bonds and mortgages	\$361,255 91
Total amount of stock investments	480,100 00
Total amount loaned upon personal securities ..	1,550 00
Total amount invested in real estate	12,325 86
Cash on deposit in banks	52,257 21
Total amount of cash on hand, not deposited in bank	8,545 47
Total amount loaned or deposited and not included under either of the above heads	33,000 00
Interest due but unpaid, January 1st	4,688 19
	<hr/>
	\$953,722 64
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$903,740 22
Excess of assets over all liabilities	49,982 42
	<hr/>
	\$953,722 64
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 3,830.

The total amount deposited during the calendar year 1863, was \$553,071 84

The total amount withdrawn during the calendar year 1863, was 399,187 28

The amount received for interest during the calendar year 1863, was 49,350 01

The amount placed to the credit of depositors for the same period, was 35,365 06

Rate of ordinary dividends for past year, 5 per cent.

55. SCHENECTADY SAVINGS BANK, SCHENECTADY.

Resources.

Total amount of bonds and mortgages	\$125,615 48
Total amount of stock investments	84,306 86
Cash on deposit in banks	128,786 58
	<hr/>
	\$338,708 92
	<hr/>

Liabilities.

Total amount due to depositors	\$325,771 08
Excess of assets over all liabilities	12,937 84
	<hr/>
	\$338,708 92
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 1,144.

The total amount deposited during the calendar year 1863, was \$118,856 41

The total amount withdrawn during the calendar year 1863, was 144,659 34

The amount received for interest during the calendar year 1863, was 14,986 23

The amount placed to the credit of depositors for the same period, was 13,571 93

Rate of ordinary dividends for past year, 3, 4, and 5 per cent.

56. SEAMEN'S BANK FOR SAVINGS, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$2,231,200 00
Total amount of stock investments	7,364,298 07

Total amount invested in real estate.....	\$118,897 48
Cash on deposit in banks.....	532,303 67
	<hr/>
	\$10,246,699 22
	<hr/> <hr/>

Liabilities.

Total amount due to depositors.....	\$9,627,280 00
Excess of assets over all liabilities.....	619,419 22
	<hr/>
	\$10,246,699 22
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 29,697:

The total amount deposited during the calendar year 1863, was.....	\$3,725,526 82
The total amount withdrawn during the calendar year 1863, was	3,164,980 24
The amount received for interest during the calendar year 1863, was	598,983 88
The amount placed to the credit of depositors for the same period was	362,455 54
	<hr/> <hr/>

Rate of ordinary dividends for past year, 5 per cent. on sums of \$500 and under ; 4 per cent. on sums over \$500.

57. SING SING SAVINGS BANK, SING SING.

Resources.

Total amount of bonds and mortgages	\$14,200 00
Total amount of stock investments	74,154 35
Total amount of cash on hand, not deposited in bank	6,055 63
Total amount loaned or deposited and not included under either of the above heads	135 00
	<hr/>
	\$94,544 98
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$91,461 59
Excess of assets over all liabilities	3,083 39
	<hr/>
	\$94,544 98
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 475.

The total amount deposited during the calendar year 1863, was	\$58,243 85
The total amount withdrawn during the calendar year 1863, was.....	25,248 16
The amount received for interest during the calendar year 1863, was.....	3,726 04
The amount placed to the credit of depositors for the same period, was.....	2,633 05

Rate of ordinary dividends for past year, 5 and 6 per cent.

58. SIXPENNY SAVINGS BANK OF THE EMPIRE CITY, NEW YORK.

Resources.

Total amount of bonds and mortgages.....	\$133,847 16
Total amount of stock investments.....	112,800 00
Cash on deposit in banks.....	7,720 08
Total amount of cash on hand, not deposited in bank	8,629 30
	<hr/>
	\$262,996 54

Liabilities.

Total amount due to depositors.....	\$258,543 66
Excess of assets over all liabilities.....	4,462 88
	<hr/>
	\$262,996 54

The number of open accounts on the morning of January 1st, 1864, was 10,580.

The total amount deposited during the calendar year 1863, was.....	\$226,255 69
The total amount withdrawn during the calendar year 1863, was.....	165,957 47
The amount received for interest during the calendar year 1863, was.....	17,196 28
The amount placed to the credit of depositors for the same period, was.....	9,652 66

Rate of ordinary dividends for past year 6 per cent.

59. SOUTH BROOKLYN SAVINGS INSTITUTION, BROOKLYN.

Resources.

Total amount of bonds and mortgages	\$358,350 00
Total amount of stock investments.....	766,000 00

Total amount loaned upon stocks.....	\$172,950 00
Total amount invested in real estate.....	25,000 00
Cash on deposit in banks.....	48,962 26
Total amount of cash on hand, not deposited in bank.....	5,290 93
	<hr/>
	\$1,376,553 19
	<hr/> <hr/>

Liabilities.

Total amount due to depositors.....	\$1,310,650 67
Excess of assets over all liabilities.....	65,902 52
	<hr/>
	\$1,376,553 19
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 6,866.

The total amount deposited during the calendar year 1863, was..... \$662,282 76

The total amount withdrawn during the calendar year 1863, was..... 510,165 99

The amount received for interest during the calendar year 1863, was..... 77,070 36

The amount placed to the credit of depositors for the same period, was..... 52,209 56

Rate of ordinary dividends for past year, 5 and 4 per cent., \$500 being the dividing line.

60. SOUTHOLD SAVINGS BANK, SOUTHOLD.

Resources.

Total amount of bonds and mortgages.....	\$82,506 50
Total amount of stock investments.....	80,802 50
Total amount loaned upon stocks.....	500 00
Total amount loaned upon personal securities ..	5,000 00
Total amount of cash on hand, not deposited in bank.....	9,928 08
Total amount loaned town of Southold (military bounty loan).....	3,000 00
Total amount loaned town of Shelter island (military bounty loan).....	560 00
Total amount of interest due, but not collected,	845 33

Total amount of interest accrued, but not due..	\$1,351 36
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	\$183,993 77
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Liabilities.

Total amount due to depositors.....	\$181,222 11
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Excess of assets over all liabilities.....	2,771 66
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	\$183,993 77
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The number of open accounts on the morning of January 1st, 1864, was 760.

The total amount deposited during the calendar year 1863, was.....	\$115,139 18
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The total amount withdrawn during the calendar year 1863, was.....	52,258 16
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The amount received for interest during the calendar year 1863, was.....	7,362 02
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The amount placed to the credit of depositors for the same period, was.....	6,670 37
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Rate of ordinary dividends for past year, 5 per cent.

61. STATE SAVINGS BANK, TROY.

Resources.

Total amount of stock investments.....	\$50,534 21
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Cash on deposit in banks.....	113,084 88
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	\$163,619 04
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Liabilities.

Total amount due to depositors.....	\$163,619 04
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The number of open accounts on the morning of January 1st, 1864, was 726.

The total amount deposited during the calendar year 1863, was.....	\$131,048 53
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The total amount withdrawn during the calendar year 1863, was.....	64,094 76
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The amount received for interest during the calendar year 1863, was.....	6,286 31
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The amount placed to the credit of depositors for the same period, was.....	6,286 31
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62. SYRACUSE SAVINGS INSTITUTION, SYRACUSE.

Resources.

Total amount of bonds and mortgages.....	\$307,789 55
Total amount of stock investments.....	467,123 45
Total amount loaned upon stocks.....	42,188 33
Total amount loaned upon personal securities ..	12,500 00
Total amount invested in real estate.....	1,195 72
Cash on deposit in banks.....	135,378 77
Total amount of cash on hand, not deposited in bank	9,358 22
Interest on loans due and unpaid.....	19,999 01
Insurance.....	24 45
Furniture.....	970 78
Balance on banking house.....	14,023 35
	<hr/>
	\$1,010,551 63
	<hr/>

Liabilities.

Total amount due to depositors.....	\$981,351 98
Excess of assets over all liabilities.....	29,199 65
	<hr/>
	\$1,010,551 63
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 4,352.

The total amount deposited during the calendar year 1863, was..... \$1,100,016 47

The total amount withdrawn during the calendar year 1863, was..... 904,972 89

The amount received for interest during the calendar year 1863, was..... 61,285 49

The amount placed to the credit of depositors for the same period, was..... 33,797 17

Rate of ordinary dividends for past year 5 per cent.

63. THIRD AVENUE SAVINGS BANK, NEW YORK.

Resources.

Total amount of bonds and mortgages.....	\$173,866 08
Total amount of stock investments.....	578,200 00
Total amount loaned upon stocks.....	89,013 75
Total amount invested in real estate and per- sonal property.....	35,000 00

Cash on deposit in banks.....	\$27,955 84
Total amount of cash on hand, not deposited in bank.....	26,035 71
	<hr/>
	\$930,071 38
	<hr/> <hr/>

Liabilities.

Total amount due to depositors.....	\$901,968 93
Excess of assets over all liabilities.....	28,102 45
	<hr/>
	\$930,071 38
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 3,526.

The total amount deposited during the calendar year 1863, was.....	\$706,069 78
The total amount withdrawn during the calendar year 1863, was.....	377,851 25
The amount received for interest during the calendar year 1863, was.....	40,480 01
The amount placed to the credit of depositors for the same period was.....	32,500 69
Rate of ordinary dividends for past year, 5 and 6 per cent.	

64. TROY SAVINGS BANK, TROY.

Resources.

Total amount of bonds and mortgages.....	\$116,650 00
Total amount of stock investments.....	960,500 00
Total amount invested in real estate.....	20,000 00
Cash on deposit in banks	355,462 06
Total amount of cash on hand, not deposited in bank	2,698 53
	<hr/>
	\$1,455,310 59
	<hr/> <hr/>

Liabilities.

Total amount due to depositors.....	\$1,410,440 44
Excess of assets over all liabilities.....	44,870 15
	<hr/>
	\$1,455,310 59
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 4,843.

The total amount deposited during the calendar year 1863, was	\$634,845 11
The total amount withdrawn during the calendar year 1863, was	369,715 32
The amount received for interest during the calendar year 1863, was	67,605 38
The amount placed to the credit of depositors for the same period, was	<u>58,024 49</u>

Rate of ordinary dividends for past year, $5\frac{1}{2}$ per cent.

65. ULSTER COUNTY SAVINGS INSTITUTION, KINGSTON.

Resources.

Total amount of bonds and mortgages	\$169,655 72
Total amount of stock investments	115,550 00
Total amount loaned upon stocks	8,300 00
Cash on deposit in banks	22,706 25
Total amount loaned or deposited, and not included under either of the above heads	25,000 00
Interest accrued for six months to Jan. 1, 1864,	10,484 92
	<u>\$351,696 89</u>

Liabilities.

Total amount due to depositors	\$335,565 56
Interest to credit of depositors	7,684 46
Excess of assets over all liabilities	8,446 87
	<u>\$351,696 89</u>

The number of open accounts on the morning of January 1st, 1864, was 1,198.

The total amount deposited during the calendar year 1863, was	\$218,704 70
The total amount withdrawn during the calendar year 1863, was	79,278 37
The amount received for interest during the calendar year 1863, was	18,797 04
The amount placed to the credit of depositors for the same period, was	<u>14,021 07</u>

Rate of ordinary dividends for past year, 6 per cent. on sums of \$500 and under, and on sums over that amount 5 per cent.

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66. UNION DIME SAVINGS INSTITUTION, NEW YORK.

Resources.

Total amount of bonds and mortgages	\$308,73. 32
Total amount of stock investments	579,000 00
Total amount loaned upon stocks	20,000 00
Cash on deposit in banks	70,103 01
Total amount of cash on hand, not deposited in bank	9,161 20
	<hr/>
	\$986,998 63
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$950,317 29
Excess of assets over all liabilities	36,681 34
	<hr/>
	\$986,998 63
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 8,173.

The total amount deposited during the calendar year 1863, was \$816,299 64

The total amount withdrawn during the calendar year 1863, was 411,523 36

The amount received for interest during the calendar year 1863, was 55,724 89

The amount placed to the credit of depositors for the same period, was 29,885 26

Rate of ordinary dividends for past year 6 per cent.

67. UNION SAVINGS BANK, ALBANY.

Resources.

Cash on deposit in banks	\$14,445 24
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$14,445 24
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 79.

The total amount deposited during the calendar year 1863, was \$4,813 99

The total amount withdrawn during the calendar year 1863, was 4,603 23

The amount received for interest during the calendar year 1863, was	\$539 44
The amount placed to the credit of depositors for the same period, was	539 44

68. WESTCHESTER COUNTY SAVINGS BANK, TARRYTOWN.

Resources.

Total amount of bonds and mortgages	\$107,913 34
Total amount of stock investments	140,180 00
Total amount loaned upon stocks	2,875 00
Cash on deposit in banks	6,794 54
Total amount of cash on hand, not deposited in bank	90 70
	<hr/>
	\$257,853 58
	<hr/>

Liabilities.

Total amount due to depositors	\$241,243 72
Excess of assets over all liabilities	16,609 86
	<hr/>
	\$257,853 58
	<hr/>

The number of open accounts on the morning of January 1st, 1864, was 1,225.

The total amount deposited during the calendar year 1863, was	\$140,375 52
The total amount withdrawn during the calendar year 1863, was	128,960 21
The amount received for interest during the calendar year 1863, was	16,419 32
The amount placed to the credit of depositors for the same period, was	9,483 24

Rate of ordinary dividends for past year, 5 and 4 per cent. (5 on \$500; 4 on excess).

69. WESTERN SAVINGS BANK OF BUFFALO, BUFFALO.

Resources.

Total amount of bonds and mortgages	\$63,021 24
Total amount of stock investments	223,053 00
Total amount invested in real estate	4,750 07
Cash on deposit in banks	31,450 60

Total amount of cash on hand, not deposited in bank	\$30,684 15
Bank safe and office furniture	456 00
Interest due not collected	1,550 30
	<hr/>
	\$354,965 36
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$347,082 70
Excess of assets over all liabilities	7,882 66
	<hr/>
	\$354,965 36
	<hr/> <hr/>

The number of open accounts on the morning of January 1st, 1864, was 983.

The total amount deposited during the calendar year 1863, was	\$536,845 58
The total amount withdrawn during the calendar year 1863, was	454,687 17
The amount received for interest during the calendar year 1863, was	22,650 44
The amount placed to the credit of depositors for the same period, was	12,901 27
	<hr/> <hr/>

Rate of ordinary dividends for past year, 5 per cent.

70. WILLIAMSBURGH SAVINGS BANK, BROOKLYN.

Resources.

Total amount of bonds and mortgages	\$771,348 33
Total amount of stock investments	2,303,196 44
Total amount loaned upon stocks	259,500 00
Total amount invested in real estate	49,729 05
Cash on deposit in banks	173,756 07
Total amount of cash on hand, not deposited in bank	76,647 14
Total amount loaned or deposited and not included under either of the above heads, viz., deposited in U. S. Treasury at New York	40,000 00
	<hr/>
	\$3,674,177 03
	<hr/> <hr/>

Liabilities.

Total amount due to depositors	\$3,492,723 32
Excess of assets over all liabilities	181,453 71
	<hr/>
	\$3,674,177 03
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The number of open accounts on the morning of January 1st, 1864, was 14,265.

The total amount deposited during the calendar year 1863, was	\$1,944,953 65
The total amount withdrawn during the calendar year 1863, was	1,139,493 12
The amount received for interest during the calendar year 1863, was	182,298 03
The amount placed to the credit of depositors for the same period, was	140,434 42
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Rate of ordinary dividends for past year, 6 per cent.

71. YONKERS SAVINGS BANK, YONKERS.

Resources.

Total amount of bonds and mortgages	\$43,175 00
Total amount of stock investments	116,500 00
Total amount loaned upon stocks	5,300 00
Total amount invested in real estate	1,818,74
Cash on deposit in banks	14,825 04
Total amount of cash on hand, not deposited in bank	2,714 81
Interest accrued but not due	2,064 58
Interest accrued, due and not paid	254 00
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	\$186,652 17
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Liabilities.

Total amount due to depositors	\$181,716 27
Excess of assets over all liabilities	4,935 90
	<hr/>
	\$186,652 17
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The number of open accounts on the morning of January 1st, 1864, was 1,050.

The total amount deposited during the calendar year 1863, was	\$152,974 94
The total amount withdrawn during the calendar year 1863, was	80,421 91
The amount received for interest during the calendar year 1863, was	15,618 04
The amount placed to the credit of depositors for the same period, was	6,226 10
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Rate of ordinary dividends for past year, 5 per cent.

State of New York.

No. 57.

IN SENATE,

March 5, 1864.

GENERAL ORDERS.

171. An act to authorize the Fall Brook Coal Company, a corporation of the Commonwealth of Pennsylvania, to hold real estate, and to lease and operate certain railroads.
172. An act to authorize the Blossburg and Corning Railroad Company to reduce the number of its directors and to increase its capital stock.
173. An act in relation to bonds given by county treasurers.
174. An act to amend chapter 261 of the Laws of 1849, designating certain days as holidays.
175. An act to release the interest of the State in certain lands in which Margaret Keen died seised or possessed, to Bridget Hannan.
176. (Assembly bill No. 69) An act to release to Harriet Lyal the real estate of which Alexander Lyal died seised.
177. (Assembly bill No. 62.) An act in relation to the fees of the treasurer of Saratoga county.
178. An act to amend section 1, of chapter 375, of the Laws of 1852.
179. An act to establish a court for the investigation of claims against the State of New York.
180. An act to amend an act entitled "An act to consolidate the several school districts and parts of districts in the village of Pulaski, into one district, and provide for a school therein."
181. An act to amend an act entitled "An act to establish free schools in district No. 1, in the towns of Castleton and Southfield, in the county of Richmond," passed April 10, 1855.

182. An act to provide for a free school in the town of Hoosick.
183. (Assembly bill No. 46.) An act to amend an act entitled "An act to consolidate school districts Nos. 5, 8, 11 and 15, of the town of Kingston, Ulster county, into one school district," passed April 29, 1863.
184. (Assembly bill No. 50.) An act to incorporate the Germania of the city of Brooklyn.
185. An act to amend section 1, article 1, title 19, chap. 20, part 1, of the Revised Statutes.
186. (Assembly bill No. 56.) An act in relation to the sale, use and disposition of butts, hogsheads, barrels, casks or kegs, used by the manufacturers of malt liquors.
187. An act for the relief of Farley Holmes, assignee of a contract for the repair of the Crooked Lake canal.
188. An act for the relief of Dewitt C. Stephens.
189. (Assembly bill No. 34.) An act for the relief of the heirs of Horatio N. Wood.
190. (Assembly bill No. 70.) An act to remove the county site of the county of Lewis, from the town of Martinsburgh, Lewis county, to the town of Lowville, in said county.
191. (Assembly bill No. 81.) An act to amend an act entitled "An act to incorporate the firemen of the town of Morrisania, late a part of the town of West Farms, in the county of Westchester," passed April 12, 1856.
192. (Assembly bill No. 74.) An act to equalize the term of office of the supervisors of the towns of Kings county.
193. (Assembly bill No. 76.) An act in relation to the town hall, in the town of West Farms, in the county of Westchester.
194. (Assembly bill No. 61.) An act for the relief of Edward Ellice.
195. An act authorizing the corporation of the city of New York to convey to the Hebrew Benevolent Society certain lands, lying between the Third and Lexington avenues and 76th and 77th streets, in the city of New York.
196. An act to release the missionary society of the Most Holy Redeemer the title and interest of the people of the State of New York to certain lands.
197. An act making appropriations for the payment of bounties to volunteers, and providing means therefor.
198. An act to incorporate the society for the protection of destitute Roman Catholic children of the city of Buffalo.

199. An act to amend the act incorporating the village of Albion.
200. An act to amend the act entitled "An act to create in the city and county of New York the Department of Public Charities and Corrections, and to establish the Almshouse Department therein," passed April 17, 1860.
201. An act to provide for the more effectual punishment of drunkenness and vagrancy in the city of New York.
202. An act in relation to statistical records in the city and county of New York.
203. An act for the better regulation and discipline of the New York State Inebriate Asylum.
204. An act to amend an act entitled "An act to alter the map or plan of the city of New York," passed April 15, 1859,
205. (Assembly bill No. 80.) An act to amend an act entitled "An act to amend an act passed May 2d, 1834, incorporating the village of Camden."
206. (Assembly bill No. 79.) An act to amend an act entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Whitesborough,'" passed February 12, 1859.
207. An act authorizing the commissioners of highways of the town of Canandaigua, Ontario county, to lay out and alter the street in the village of Canandaigua known as East Phoenix street.
208. An act to authorize the commissioner of highways of the town of Corning to insure and repair a bridge.
209. An act for the relief of the Bath and Coney Island Bridge Company.
210. (Assembly bill No. 71.) An act authorizing the town of Luzerne, in the county of Warren, and the town of Hadley, in the county of Saratoga, to raise money to repair or rebuild Hudson River Bridge.
211. (Assembly bill No. 206.) An act to grant authority to the commissioners of highways of the town of Phillipstown, county of Putman, to appoint and remove overseers of highways in said town.
212. An act to establish an asylum for inebriates in the city of New York, and to provide for the government thereof.

213. An act to authorize the trustees of Roslyn Presbyterian church and congregation to dispose of a part of their cemetery grounds.
214. (Assembly bill No. 222.) An act to incorporate the St. Anne's, Total Abstinence and Beneficial Society of the city of Brooklyn.
215. An act to incorporate the Brooklyn Market Company.
216. An act in relation to free schools in the city of Troy.

State of New York,

No. 58.

IN SENATE,

March 4, 1864.

COMMUNICATION

FROM THE SECRETARY OF STATE, RELATIVE TO DOCUMENTS
OF OFFICERS AND REPORTERS.

OFFICE OF THE SECRETARY OF STATE OF STATE OF NEW YORK, }
ALBANY, *March 3, 1864.* }

To the honorable the Senate :

In compliance with the resolution of your honorable body, of which the following is a copy—

Resolved, That the Secretary of State be requested to report to the Senate, the reasons, if any there be, why the extra documents of the last session of the Legislature had not been forwarded to officers and reporters of the Senate."

I have the honor to report that, on account of an error in printing some of the reports, it became necessary to reprint many of them.

Their transmission, from this cause, was unavoidably delayed. They have since been forwarded to the officers and reporters of the Senate.

CHAUNCEY M. DEPEW,
Secretary of State.

State of New York.

No. 59.

IN SENATE,

March 1, 1864.

REPORT

OF THE TRUSTEES OF THE CAPITOL AND THE CHAIRMAN
OF THE SENATE COMMITTEE OF 1863 ON PUBLIC BUILD-
INGS, RELATIVE TO PLANS FOR A NEW CAPITOL.

To the Hon. the Senate :

The Trustees of the Capitol and the chairman of the Senate committee of 1863 on public buildings,

REPORT :

That in pursuance of the resolution of the Senate of the 24th of April, 1863, referring to them to procure suitable plans for a new capitol, with adequate accommodations for the several purposes for which the same is needed, and to report thereon, they caused a notice to be published in August last, in the State paper, and in several other newspapers, inviting the presentation of plans for a new capitol, a copy of which notice is contained in the accompanying document.

A more detailed statement of the accommodations and arrangements considered to be desirable in the proposed building was furnished to many architects and others, a copy of which statement is hereto annexed, and to which reference is hereby made.

That three sets of plans have accordingly been submitted—one by Messrs. Fuller & Jones; one by Gage Inslee, and the other by Rembrandt Lockwood.

These plans are now in possession of the present Senate committee on public buildings, and give evidence of skill and of careful attention by the respective architects. That of Messrs. Fuller & Jones is much the most elaborate, and reflects great

credit on their ability and taste; not only are the interior arrangements very complete, but the proposed front is one of great merit. It is recommended that provision be made by the Legislature for a reasonable compensation to the architects for the plans thus presented.

• HORATIO SEYMOUR,
D. R. FLOYD JONES,
L. ROBINSON, *Comptroller*,
JOHN COCHRANE, *Att'y Gen*,
Trustees of the Capitol.
JOHN V. L. PRUYN,
Chairman of Committee on Public Buildings.

STATE OF NEW YORK: }
IN SENATE, ALBANY, *April 24, 1863.* }

On motion of Mr. BELL,

Resolved, That it be referred to the Trustees of the Capitol and the chairman of the committee on public buildings of the Senate (to and in conjunction with a committee of the Assembly, if appointed,) to procure suitable plans for a new capitol, with adequate accommodations for the several purposes for which the same is needed, and to report to the next Legislature.

By order of the Senate.

JAMES TERWILLIGER, *Clerk.*

COPY ADVERTISEMENT FROM STATE PAPER.

State of New York.—Plans for a new Capitol.

In pursuance of a resolution of the Senate of this State, adopted on the twenty-fourth day of April last, by which it was referred to the Trustees of the Capitol (being the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Secretary of State, the Attorney General, the Comptroller), and the chairman of the committee of the Senate on public buildings, to procure suitable plans for a new Capitol, with adequate accommodations for the several purposes for which the same is needed, and to report to the next Legislature; the board named, invite the presentation of plans for the erection of a new Capitol.

The building should contain suitable rooms for the following named public officers and purposes :

1. The Governor and his civil and military staff.
2. The Senate and its officers and committees.
3. The Assembly and its officers and committees.
4. The Court of Appeals, the judges, clerk and officers of the court.
5. The State Library.
6. The Superintendent of Public Instruction.
7. The Keeper of the Capitol, store rooms and rooms for miscellaneous purposes needed in a building of this character.

More particular information as to the accommodations and arrangements which are considered desirable is contained in a printed statement, which will be forwarded by post on application to the undersigned.

Special attention is requested to the best arrangements for heating, lighting, and ventilation.

No appropriation was made for compensation for plans which may be prepared under the resolution of the Senate and be considered meritorious, but the Trustees of the Capitol will recommend to the Legislature such provision for this purpose as may be deemed proper.

Plans may be addressed to the undersigned at any time before the twentieth day of December next.

By order.

JOHN V. L. PRUYN,

Chairman Senate Committee on Public Buildings.

ALBANY, August 31, 1863.

STATEMENT OF FURTHER PARTICULARS REFERRED TO IN THE FOREGOING NOTICE.

Accompanying this is a plan of the grounds occupied by the present Capitol in the city of Albany, showing also the addition thereto recently purchased by the State, thus giving it the ownership of an entire square, bounded in front by the Capitol park, southerly by State street, westerly by Hawk street, and northerly by Congress (late Spring) street. It has been suggested that the square on the north extending to Washington avenue, and running westerly to Hawk street, called the Congress Hall Square, should be purchased by the State and added to the Capitol grounds. Several members of the last Legislature were very decided in their views as to the propriety and necessity of doing this in order to secure ample space for a new build-

ing. Were this done, Park Place, and Congress street west to Hawk street, would no doubt be closed, and the premises thus enlarged would present a front on the square of 330 feet, with the like extent in rear on Hawk street, and be somewhat over 400 feet on Washington avenue and State street. Architects who present plans may prepare them with reference to the square now owned by the State, or to the proposed enlargement of the grounds, as they may be of opinion will secure the most desirable and convenient building for the purposes for which the Capitol is needed.

Should architects, who may in good faith have commenced the preparation of plans, find the time named in the notice too short for their completion, application should be made to the undersigned at an early day for such reasonable extension of the time as may be desired, should circumstances permit it.

It is requested that drawings be in outline only on a scale of one-tenth of an inch to the foot, with such internal views as architects may consider it desirable to furnish. No colors should be used but such as may be required to indicate materials of different kinds. The elevations and sections may be tinted in India ink or sepia. Perspectives may, if preferred, be presented in color, and written descriptions may accompany drawings. Architects who may prefer not to attach their names to designs, may distinguish them by some suitable designation, and enclose their address in a sealed envelope, directed to the undersigned, which will not be opened until it may be found desirable to do so.

It will be evident to architects that many of the details given below are intended principally by way of suggestion, and not to control their views. They indicate the general extent and character of the accommodations needed, and will serve as a guide in preparing such designs as will best meet the required objects.

EXECUTIVE DEPARTMENT.

The Governor will require five rooms—one about twenty-two feet by thirty (say 650 feet floor area), a private room about 400 feet area, two rooms for secretaries, about 500 feet area each, with an ante-room to each of about 350 feet area.

The Adjutant General will require four rooms, one of about 500 feet area, with a small ante-room attached, and three of about 400 feet area each.

The other members of the Governor's military staff will require six rooms of about 400 feet area each, with small ante-rooms attached, and the Bureau of Military Statistics will require two rooms of about 500 feet area each.

The Executive Department (civil and military above referred to), will require a record room of about 600 feet area, for accumulating books and papers.

THE SENATE.

The Senate Chamber must contain suitable arrangements for a body of 32 members, with galleries for spectators, and a reporters' gallery. A room adjoining for the President of the Senate of about 400 feet area. A cloak room of about 600 feet area. A reception room for visitors of about 500 feet area, with a suitable ante-room. A library of about 600 feet area. The Clerk will require two rooms of about 450 feet area each. The post-office a room of about 400 feet area. The sergeant-at-arms and door-keeper, each a room of about 400 feet area, with a document room adjoining the sergeants of about equal size. Two committee rooms of about 600 feet area each, and five of about 350 feet area, with a small ante-room to each. Also a record room of about 500 feet area. Each of the committee rooms to have a recess in the wall for book shelves sufficient to contain 500 volumes.

THE ASSEMBLY.

The Assembly consists of 128 members, and will require accommodations of the same general character as the Senate, properly enlarged. Two committee rooms will be needed of 800 feet area each, and ten others of the same size and character as those of the Senate.

THE COURT OF APPEALS.

The court room should contain about 2000 feet area, with a gallery or other suitable arrangements for reporters and visitors, a library of about 800 feet area, and also a consultation room for the judges of about 600 feet area, with an ante-room. Two rooms will be needed for the clerk of the court, and a record room, each 500 feet area, and a room of about 400 feet area for the officers in attendance on the court, and the accommodation of counsel.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

This officer will require two rooms of about 500 feet area each, with a small ante-room attached to one of them.

THE STATE LIBRARY.

The law library will require room for about 25,000 volumes, and the general library for about 75,000 volumes, with the requisite capacity, by galleries or otherwise, to contain, the former 50,000, and the latter 150,000 volumes. It is desirable that the two libraries should be in separate apartments, with a reading room or rooms, of suitable size, attached to each. A room of about 500 feet capacity for the secretary, and another of about the same size for the Regents of the University, with a room of about 400 feet area adjoining for records and other purposes. Also a store room, a packing room, and a room for duplicates, each about 400 feet area.

All the above suites of rooms will severally need suitable lavatories and closets.

A range of about four rooms will be desirable in some retired part of the building for storing books and papers which will accumulate in the various departments. These rooms should contain about 600 to 800 feet floor area each.

Suitable rooms will be required for a residence for the Keeper of the Capitol.

Store rooms for fuel and miscellaneous purposes should be provided.

It is desirable that parties submitting designs should state generally their views as to the heating, lighting, (especially the Senate and Assembly Chambers and the State Library), and ventilation of the building.

JOHN V. L. PRUYN,

Chairman Senate Committee on Public Buildings.

ALBANY, August 31, 1863.

State of New York.

No. 60.

IN SENATE,

March 8, 1864.

GENERAL ORDERS.

217. An act to enable the electors of the town of Fishkill, Dutchess county, to vote by districts for town officers.
218. (Assembly bill No. 336.) An act to extend the time for the collection of taxes in the town of German Flats, in the county of Herkimer.
219. An act to provide for the improvement of the navigation of Black river, between the mouth of Otter creek and Carthage.
220. An act to amend an act to incorporate the Peekskill Savings Bank, passed April 18, 1859, and the act amendatory thereof, passed April 12, 1860.
221. An act to amend an act entitled "An act to incorporate the Atlantic Savings Bank of the city of New York," passed April 11, 1860.
222. An act to amend an act entitled "An act to incorporate the New York Warehouse and Security Company," passed June 7, 1862.
223. (Assembly bill No. 59.) An act for the relief of Felisa Costa De Pou.
224. An act to release the interest of the State in lands acquired by escheat to Vital Roy.
225. (Assembly bill No. 290.) An act to legalize the action of a special town meeting, held in the town of Stockbridge, county of Madison, on the 27th day of August, 1863.
226. (Assembly bill No. 60.) An act for the relief of Mary Dean, an alien.
227. (Assembly bill No. 58.) An act to release the interest of the State to certain lands, of which Sarah Richardson died possessed, to Thomas Richardson, her husband.

228. (Assembly bill No. 292.) An act authorizing and directing the board of supervisors of the county of Putnam to raise money by tax, to pay moneys borrowed by the town of Phillipstown to assist drafted men and to encourage volunteering into the United States service.
229. An act for the relief of James Morrison, Horatio N. Curtis, Charles J. Hayden, Philip Nier, Thomas H. Hyatt, and the firms of C. J. Ryan & Co., and Flint & Olcott.
230. An act to repeal chap. 626 of the Laws of 1853, and chapter 495 of the Laws of 1855, in relation to highway labor on plank roads.

State of New York.

No. 61.

IN SENATE,

March 9, 1864.

GENERAL ORDERS.

231. An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics.
232. An act to revive and continue the several acts to incorporate, and to increase the capital and extend the powers of the Sodus Canal Company.
233. An act to provide for the payment of interest on certain canal drafts, certificates, awards for damages, and estimates for work done on the canals of this State.
234. An act relating to contracts for the repairs of the canals.
235. An act for the relief of Edward A. Lambert.
236. An act to incorporate the Central Park Hotel Company.
237. An act to amend an act entitled "An act to incorporate the trustees and inhabitants of Delhi, and to invest them with certain powers," passed March 16, 1821.
238. An act to amend an act entitled "An act to incorporate the village of Angelica," passed May 2, 1835.
239. An act to amend an act entitled "An act to erect election district No. 5 in the town of Watervliet, in the election of town officers, and that said district shall also be the 10th election district in said town for all general elections," passed March 31, 1863.
240. An act to incorporate the Grand Hotel Company of New York city.

State of New York.

No. 62.

IN SENATE,

March 9, 1864.

REPORT

OF THE COMMITTEE ON CANALS ON THE PETITION OF THE SODUS CANAL COMPANY.

The committee on canals, to which was referred the petition of the Sodus Canal Company, praying for an extension of time to complete their canal,

REPORT:

That they have had the subject under consideration, and find that the original act incorporating said company was passed March 19, 1829; that an act reviving and continuing the above mentioned act was passed April 4, 1835; and that an act to increase the capital and extend the powers of the company was passed April 30, 1836.

By the last mentioned act the company was empowered to construct a ship canal from Cayuga lake to Great Sodus Bay, and to improve and use the Seneca and Clyde rivers as a part of their navigation. Their capital was eight hundred thousand dollars. They were to cross the Erie canal, as should be directed by the Canal Commissioners, and the Canal Commissioners were to direct the manner of their taking their supply of water from the Seneca river, and to control the same.

The Erie canal then crossed the Cayuga marshes on a low level, and passed through the Seneca river, or across it, by a towing-path bridge, hauling crafts of all descriptions through the waters of the river.

Under the improved charter, the company was fully organized. In January, 1837, the Canal Commissioners ordered, in due form, that the company should cross the Erie canal by passing under it at Melvin brook, west of Clyde lock, by means of an aqueduct, of which they caused to be prepared a complete plan; so that

the navigation of the Sodus canal was to be through said aqueduct under the Erie canal. As soon as this order was obtained, and in the month of February, 1837, the company commenced their work, and prosecuted it with vigor until the commercial and financial revulsions following 1837 suspended all works of improvement, both public and private, throughout the State and nation; and individual corporators carried forward the work for some time after others had suspended. A large amount of work was done. Before the work on the Sodus canal was fully suspended, the Canal Commissioners devised a new plan of passing the Erie canal over the Cayuga marshes and Seneca river; which new plan consisted in building an aqueduct over the Seneca river, and an elevated level over the Cayuga marshes. This would disconnect the Erie canal with the Seneca river. Early in the year 1840, official notice from the Canal Commissioners was given to the proper agent of the Sodus Canal Company, that the Canal Commissioners had devised such plan, and had the same under consideration.

It was apparent that the adoption of this plan would destroy all prospects of the Sodus canal, and involve a loss of all the company had expended, unless the Legislature should provide remedies or remuneration.

Owing to the embarrassments of the times, and the suspension by the State of the enlargement of the Erie canal, this new plan of crossing the Seneca river and marshes remained under advisement before the Canal Commissioners until late in the month of July, 1849, at which time the agent of the Sodus Canal Company received notice of a meeting of the Canal Commissioners, at Montezuma, to decide upon the said plan; and at the meeting so then held, the Canal Commissioners decided in favor of adopting the new plan, and gave to the agent of the Sodus Canal Company a copy of their decision. At the same meeting they ordered that the Clyde lock should be moved, and that the new enlarged lock should be built west of the point at which they had before ordered the Sodus Canal Company to build their aqueduct under the Erie canal. This lowered the bottom of this level of the Erie canal, by the amount of the lift of the lock, and was a prohibition of the execution of the order to build the aqueduct under the Erie canal, by rendering the same impossible.

About the same time the Canal Commissioners ordered that

the Cayuga and Seneca canals should be connected by an aqueduct across the Seneca river, on a similar base as that to be built for the Erie canal, so that that level of the Cayuga and Seneca canal should be the same as the Montezuma level of the Erie canal.

This would add the whole quantity of water descending through the Seneca canal to the Montezuma level, and would largely increase the supply of this level.

At the session of the Legislature in 1850, the Sodus Canal Company applied to the Legislature for time to complete their canal, and for such legislation as was rendered indispensable by the change made by the State. They were defeated by supposed rival interests.

They applied at the next session, and at the extra session in 1851, the Legislature granted them ten years further time from November, 1851, and made the alterations required by the changes the State had made. The company was allowed to take their canal out the lower level of the Erie canal, at the place where the aqueduct had been ordered, under certain restrictions and under the control of the Canal Commissioners. It is apparent that this permission could not be available until the State should complete the work of the lower level of the Erie canal; and it is of public notoriety that, owing to the depletion of the canal revenues by the withdrawal of the canal tolls on railroad transportation, all canals, public and private, fell into discredit and low reputation. The State work of finishing the Montezuma level of the Erie canal, though begun in 1849, was not completed till 1862; one year after the new time allowed to the Sodus Canal Company.

In constructing the Cayuga and Seneca canal, and after the Sodus Canal Company had been granted the right and privilege of taking their canal out of the lower level of the Erie canal, as above stated, two of the Canal Commissioners, Messrs. Fitzhugh and Follett, on the 23d of March, 1853, altered the plan of connecting the Cayuga and Seneca canals as above stated. Instead of building the aqueduct to connect them, and to add to the water of the Montezuma level, they left it out, and built locks to descend from the Montezuma level from the Erie canal there, thus taking from this level of the Erie canal all the water for lockages required for the trade of the Seneca, the Chemung, and the Crooked Lake canals.

The justice of thus creating a necessity for denying the continuance of the grant to the Sodus Canal Company on the score of a want of water there, may well be questioned, especially as this last change was made in the construction of the Cayuga and Seneca canals, soon after the act of 1851, and before the Sodus canal had time to make any considerable progress in the construction of the work newly assured to them by said act of 1851.

These facts, growing out of the changes made by the State, and arising from the delays by the State, have operated a prohibition upon the progress of the Sodus Canal Company; and it seems to your committee that this company ask no more than justice in praying to be allowed to finish their work under the prohibitions and restrictions of the act of 1851, taking away from them, as it does, more than half their line of navigation, and reducing, as it does, the capacity of their proposed canal.

The committee therefore recommend the passage of the bill herewith introduced.

State of New York.

No. 63.

IN SENATE,

March 9, 1864.

COMMUNICATION

FROM THE CANAL BOARD, RELATIVE TO THE ERECTING, KEEPING AND MAINTAINING OF DOCKS IN THE NINETEENTH WARD OF THE CITY OF BROOKLYN.

To the honorable the Senate :

Extract from the minutes of a meeting of the Commissioners of the Land Office, held at the office of the Secretary of State, March 8, 1864.

The State Engineer and Surveyor, to whom was referred the petition of Caleb H. Shipman, addressed to the Legislature of the State of New York, to authorize the erecting, keeping and maintaining of docks in the nineteenth ward of the city of Brooklyn, and to whom also was referred the communication of the Senate of the State of New York in relation thereto, report as follows :

LAND COMMISSIONERS' OFFICE, {
ALBANY, March 9, 1864. }

To the Senate :

The Board of Land Commissioners, in compliance with the following resolution of the Senate, to wit :

Resolved, That the bill entitled "An act authorizing the erecting, keeping, and maintaining of docks in the Nineteenth ward, in the city of Brooklyn," be referred to the Commissioners of the Land office, with a request that they will report upon the facts and the propriety of passing the bill,

Respectfully submit the following.

REPORT:

That the facts contained in the petition of Charles H. Shipman, and the report (annexed) of Hon. John Cochran, Attorney General, are correct, and the Board can see no impropriety in passing the bill referred to.

[Senate, No. 63.]

The Board of Commissioners is of the opinion that the grant of land applied for is properly under its jurisdiction, and does not necessarily require an act to grant a patent therefor.

STATE OF NEW YORK:

OFFICE OF THE ATTORNEY GENERAL, }
ALBANY, March 5, 1864. }

To the Commissioners of the Land Office :

Gentlemen—From a careful examination of the memorial to the Legislature accompanying the resolution from the Senate hereto attached, and also the various statutes bearing upon the subject, I see no legal objection to the passage of Senate bill No. 105, entitled “ An Act authorizing the erecting, keeping and maintaining of docks in the nineteenth ward in the city of Brooklyn.”

The erection of the docks at their present exterior line, though unauthorized in my opinion, was, I think, innocently supposed by the proprietors to have been authorized; and as their exterior line does not transgress the Harbor Commissioners' line, as established by law, and is continuous with that of the docks constructed by State authority on adjacent lots of land, I think that the bill may properly be passed into a law.

Respectfully your obd't servant,

JOHN COCHRANE,

Attorney General.

On motion of the Secretary of State, it was

Resolved, That the report of the Attorney General and of the State Engineer and Surveyor be transmitted to the honorable the Senate of the State of New York, as the reply of the Commissioners of the Land Office to the communication of that body, dated March 3, 1864.

All which is respectfully submitted.

ERASTUS CLARK,

Deputy Sec'y of State and Clerk Land Commissioners.

State of New York.

No. 64.

IN SENATE,

March 10, 1864.

REPORT

FROM THE CANAL BOARD RELATIVE TO THE ENLARGEMENT
OF THE LOCKS ON THE CHEMUNG CANAL.

STATE OF NEW YORK:

CANAL DEPARTMENT, }
ALBANY, March 9, 1864. }

To the President of the Senate:

Sir—By the direction of the Canal Board, I herewith transmit to the Senate the report of that board in reply to the resolution of the Senate of the 18th of February last, making enquiries as to the propriety and necessity of enlarging the locks on the Chemung canal.

Respectfully, your obedient servant,

N. S. BENTON,

Auditor.

CANAL DEPARTMENT, }
ALBANY, March 9, 1864. }

• *To the Hon. the Senate:*

The Canal Board, to whom was referred the question of enlarging the locks on the Chemung canal, by resolution, in the words following, to wit:

Resolved, That Senate bill No. 24, entitled "An act to provide for the rebuilding the locks on the Chemung canal and feeder," be referred to the Canal Board, as to the propriety and necessity of enlarging the same, and that they be requested to report to the Senate on or before the 29th instant,

Respectfully beg leave to present report in regard to said resolution.

[Senate, No. 64.]

A similar resolution, embracing the question now presented, was passed by the Senate on the 10th day of February, 1859, to which the Canal Board responded on the 25th of February of the same year. After discussing in the report the question as to whether the locks, at rebuilding, should be of wood or stone, the report says: "The question then is, should the State look forward to the ultimate enlargement of this canal?"

This canal is but a continuation of the Cayuga and Seneca, and a large portion of the business of the latter is received from the former; and although the Chemung canal proper is but twenty-one miles in length, it receives a large trade—sixty miles of navigation—all of which, save eighteen, admits of large boats. Taking into account the proportion of the trade brought to the Erie canal at Montezuma that comes from the Chenango canal, and it will be difficult to find a justification for the enlargement of the canal from Geneva to Montezuma, unless it was contemplated to enlarge the Chemung. When the Cayuga and Seneca enlargement was undertaken, it is but fair to say, that the enlargement of this whole lateral was inaugurated.

Notwithstanding this, we should consider whether the present trade and future promise of this canal justify a further outlay for enlargement of its locks. That the Senate may judge what proportion of the traffic of the Erie canal is derived from the lateral, we give the average daily lockages on the first lock out of Buffalo, the first lock east of Rochester—the Geddes lock, shewing the increase on the Erie after receiving this lateral at Montezuma. Also, a comparison with the lockages on the Oswego and Champlain canals, from 1852 to 1857, inclusive.

Daily average lockages from 1852 to 1857.

Year.	Guard lock, Black Rock.	First lock east of Rochester.	Geddes lock.	Junction lock on Chemung canal.	Oswego canal at Salina.	Chemung canal at Havana.
1852....	87	94	125	56	41	19
1853....	81	86	123	56	41	24
1854....	85	91	133	69	31	32
1855....	82	74	102	60	42	24
1856....	74	70	97	74	39	24
1857....	62	56	81	46	43	25

This shows that the lock by which the trade of the Chemung canal passes into the Erie, passes about one-third as many boats as by the locks west of the Montezuma junction on the Erie,

about half as many as are passed on the Champlain canal, and nearly two-thirds as many as the Oswego canal.

The amount credited to this canal, by way of tolls, would appear small compared with the number of lockages, but the same rate per mile is charged on this as on other canals, and the short distance on which tolls are credited to this canal furnishes the explanation.

Nearly all the trade brought to the Erie canal from the Chemung pays toll on the whole length of the Seneca and Cayuga, and on the Erie, from Montezuma to Albany. It should be credited with these tolls, as all this trade is taken from the New York and Erie railroad, and would seek the market by that road, except what is credited by the canal. Taking the average receipts of the Chemung canal from 1852 to 1857, inclusive, they will be found to have averaged about \$18,000 per year. If this is carried on, say thirty miles of canal, it would pay on two hundred miles an additional sum of \$120,000. This canal, at Corning, receives the bituminous coal and lumber brought over the Corning and Blossburgh railroad, and at Elmira the anthracite and other coal brought over the Williamsport and Elmira road. It is now also connected by the junction canal, completed last year, with the entire system of the canals of Pennsylvania, thus enabling us to reach by canal the vast deposits of coal, both anthracite and bituminous, of that State.

The locks upon the Junction and North Branch canals, though not of the size of the Erie enlarged locks, are larger than the Chemung locks, thus furnishing a reason for enlarging the latter.

It is believed that were the locks on this canal enlarged to the length and width of the enlarged locks on the Erie, that a small outlay would give five feet of water. With this depth, the tonnage of the boats could be doubled. In view of the small additional expense, when a lock is to be put in from the foundation, between the large and small locks, where no great increase of depth is provided for, and in view of the importance of this canal, and of the probability that it will call for no immediate increased expenditure, the Board do not hesitate to recommend that, in reconstructing any lock from the foundation, it should be reconstructed with wooden walls, of the length and size of the locks on the Erie canal, with reference to five feet depth of water.

The lockages upon the Chemung canal, from the year 1857 to and including the year 1863, are as follows, to wit :

Year.	Guard lock, Black rock.	First lock east of Rochester.	Geddes lock.	Oswego canal, Salina.	Havana.
1858.....	13,050	13,288	16,957	10,806	4,148
1859.....	10,695	11,080		10,225	5,241
1860.....	16,815	18,337	21,880	13,811	5,019
1861.....	20,549	20,553	24,283	12,025	4,745
1862.....	25,806	24,597	31,119	12,557	5,045
1863.....	20,936	20,962	24,684	11,335	6,088

The total tonnage cleared on the Chemung canal and feeder, from 1857 to 1863, is as follows :

Year.	Tons.
1857.....	188,201
1858.....	205,168
1859.....	256,323
1860.....	226,051
1861.....	208,792
1862.....	243,628
1863.....	307,147

Tolls received on Chemung canal from 1857 to 1863, as follows :

In 1857.....	\$80,769 00
In 1858.....	72,467 00
In 1859.....	80,935 00
In 1860.....	80,163 00
In 1861.....	63,299 00
In 1862.....	86,991 00
In 1863.....	91,960 00

As the necessity, in 1857, for enlarging these locks seemed so great as to justify the Canal Board then in saying, "The Board do not hesitate to recommend that in reconstructing any lock from the foundation, it should be constructed with wooden walls of the length and size of the locks on the Erie canal, with reference to five feet depth of water." This Board does not see that such necessity has decreased, or is likely to decrease in years to come. The Canal Board presents this report as their answer to the resolution of the honorable Senate. Respectfully submitted.

Resolved, That the report adopted in answer to the resolution of the honorable the Senate, relative to the enlargement of the locks on the Chemung canal, be transmitted to the Senate by the Auditor.

CANAL DEPARTMENT, }
ALBANY, *March 9, 1864.* }

I hereby certify the above are true copies of the report and resolution.

N. S. BENTON, *Auditor.*

State of New York.

No. 65.

IN SENATE,

April 23, 1864.

ANNUAL REPORT

OF THE COMMISSIONERS OF EMIGRATION.

To the Legislature of the State of New York:

The Commissioners of Emigration respectfully present their annual report, for the year ending 31st December, 1863.

The year 1863, being the seventeenth of the operation of the system under the charge of this commission, was marked by a large increase of the emigration to this port, being more than double that of 1862, which had shown an increase over that of 1861. It was also marked by the same general improvement in the health and condition of the emigrants, as compared with the experience of the earlier years of this commission, which the Commissioners have had the satisfaction to report for the last three years. There was consequently a diminished number, in proportion to the whole number who arrived, who required medical or other immediate relief upon or soon after their arrival.

The chief exceptions to the ordinary good state of the health and condition of the emigrants arises from diseases contracted on shipboard, which are in no way to be attributed to the condition of the passengers on their embarkation.

The whole number of emigrants at this port was 80,538 more than in the year preceding.

The number in the hospitals, and of those otherwise receiving support or pecuniary assistance from this Board, was larger than during the past few years of decreased emigration, but nevertheless smaller in proportion to the whole number who paid commutation than in preceding years. As in the year 1862, though the income of the commission was far lower than was usual in its earlier years, yet the improved system and economy of their

establishments, together with diminished county claims, enabled them to meet the current expenditure of the year, and to extinguish all debts, with the exception of those secured by mortgage on their real estate, and contracted principally in the purchase or improvement of lands and erection of buildings. There are no other outstanding debts or claims, except certain claims disputed and in litigation.

The improvements year after year introduced by the experience of the Commissioners and their officers, have placed all the establishments under their immediate charge in a state of great order and efficiency, and thus the cares and labors of the Commissioners have been materially diminished.

Their duties and responsibilities have also been lessened by the operation of the late law in relation to the removal of the quarantine.

The whole number of passengers landed at this port during the year 1863, was 194,377. Of these, 37,533 were citizens, or persons not subject to bonds or commutation; and 156,844 were aliens for whom commutation was paid, or bonds executed, showing an increase in alien emigrants of 80,538 over 1862, 91,315 over 1861, 51,682 over 1860, 77,522 over 1859, 78,255 over 1858, and 26,929 less than in 1857; whilst the proportion to the average of former years, since 1847, is 8,665 less.

Of these emigrants, 92,157 were from Ireland, 35,002 from Germany, 18,757 from England, and 10,928 from other countries.

In the report of 1861, it was stated that the Board had restored the office of general agent, as it existed in the first years of this commission, united with the office of secretary; and that the long experience and tried ability of the secretary, Bernard Casserly, seemed, in the judgment of the Commissioners, to qualify him eminently for this position. His administration of the numerous and important duties of the station since his appointment, has fully justified the confident expectations of the Board.

The details of the various operations of the commission and their officers, during the year 1863, present the following results: Number in State Emigrant Refuge and Hospital,

Ward's Island, Jan. 1st, 1863,	655
Number admitted during the year	4,025
do born there	231
Total number cared for and treated; ..	4,911

Number of lunatic emigrants in State

Asylum, Ward's Island, Jan. 1st, 1863	66	
Number admitted during the year	57	
	—	123

Of which there left the Asylum :

Number discharged cured	34	
do transferred to Blackwell's Island, their term of 5 years having expired	11	
do transferred to other wards of Institution in improved condition	9	
do died	6	
	—	60

Remaining in Asylum Dec. 31st, 1863... 63

Number of cases of small pox chargeable to the commission in Small-Pox hospital, Blackwell's Island, Jan. 1st, 1863..... 12

Number admitted during the year

78

Total number of cases of small-pox chargeable to the commission treated in Small-Pox hospital, Blackwell's Island during the year

90

Number discharged cured

79

do died

7

Total number discharged

86

Number remaining on 1st January, 1864... 4

Number of sick sent from office to the New York hospital during the year 1863..... 29

Number of sick sent to St. Vincent's hospital.. 19

Total cases sent to both hospitals

48

Number of persons sent back to Europe at their own request..... 65

Number of persons sent back to Europe at their own request and at expense of consignees of vessels

46

Total number forwarded to Europe.....

111

Number of persons forwarded to various places inland from Castle Garden at expense of the commission..... 23

Number forwarded to various places inland by agent at Buffalo		211	
do	forwarded by agent at Albany	20	
Total number forwarded inland and to Canada by this commission ..		—	254
Number temporarily supplied with board and lodging in the city		1,269	
do	temporarily supplied with food in Castle Garden	3,019	
do	temporarily supplied with board and lodging by agent at Buffalo	1,869	
do	do by agent at Albany	403	
do	do by agent at Rochester	100	
Total number so relieved		—	6,660
Number of out-door poor in the city buried at the expense of the commission		100	
do	of interments from institutions on Ward's Island in city cemetery at the expense of the commission	374	
Total number buried		—	474
Number of males provided with situations at the Intelligence Office and Labor Exchange, Castle Garden		3,223	
do	of females	8,594	
do	of both sexes provided with situations by agent at Buffalo	861	
do	of do by agent at Albany	650	
do	of do by agent at Rochester	97	
Total number provided with employment		—	13,425
Whole number relieved and forwarded in and from the several counties of the State chargeable to the commission			4,583
Grand total of destitute alien emigrants landed at the port of New York during the past five years, who were relieved, forwarded, and provided with employment, &c., by this commission in the State and city of New York, during the year 1863		—	30,556

Number of days spent in State Emigrant Hospital, Ward's Island	158,112
do of days spent in State Emigrant Refuge, Ward's Island	94,100
Total number of days in both	— 252,212
Amount of moneys received in reply to letters written from the Emigrant Landing Depot, for recently arrived emigrants, and applied to their forwarding	\$19,168 99
do of moneys received at Emigrant Landing Depot in anticipation of arrival of emigrants	26,978 92
do of moneys received at office for, and applied to, the aid and forwarding of emigrants chargeable to this commission	918 52
do of moneys received at office of the Irish Emigrant Society from friends of recently arrived emigrants, and applied to the forwarding of such emigrants chargeable to this commission	21,038 10
do of moneys received at office of agent at Albany for, and applied to, the same purpose	289 30

State Emigrant Refuge and Hospital, Ward's Island.

The Commissioners, as is stated more at large in former reports, hold in fee one hundred and six acres on Ward's Island, together with appurtenant water-rights and marsh. These lands were purchased either from the annual income or from funds obtained on mortgage, with which debt the property, greatly increased in value in itself, as well as by the buildings and other improvements, is still encumbered. The tract, except twenty acres on the southeast side, lies in one body, surrounded in great part by water, and contains nearly one half of the island. The land is good, and the tract in all respects salubrious and convenient. As the number of occupants has at times exceeded 3,000, though of late much less, this extent of ground is not more than is needed for the comfort, exercise, and occupation of the inmates, the proper distance and space required for the various branches of the establishments—as hospitals, the Insane Asylum, school,

and nurseries, as well as for the government, control, and police of the whole population, and keeping at a distance bad or troublesome neighbors.

The tract has been extended by filling in, and building a stone sea-wall along the shore, which was performed chiefly by labor of the inmates. The wooden drains, which had been laid in former years, have been replaced by an effective and permanent sewerage of 1,600 feet of brick drains.

"The whole product of the land under cultivation (about fifty acres), including milk, vegetables, etc., is consumed by the inmates, and it is estimated that if purchased it would cost about \$9,719.19. The buildings and grounds are amply supplied with Croton water, brought by a pipe under the waters of the sound, and carried up to a large embanked reservoir, which is kept filled. This, besides furnishing a regular supply of water, affords security against fire, and a cheap and abundant supply of the best ice, which has never failed or proved insufficient for the most liberal supply of the institution, except in the remarkable winters of 1861 and 1862. During the last summer it became necessary, for the first time in many years, to purchase ice for the hospital. There is a broad, substantial private wharf belonging to the establishment, with spacious sheds, boat house and other conveniences.

The buildings, as heretofore reported and described in several annual reports of this Board, can accommodate more patients than now occupy them. On the 1st of January, 1863, there were in the buildings 655 inmates; the number on the 1st of January, 1864, was 903. The buildings erected in the earlier years of the commission were nearly all of wood; some of these, being much decayed, have been removed. Others still partially used are rapidly decaying and becoming unfit for further service. Those erected since 1850 are of brick, well and durably built, and in perfect order. The subject of hospital construction is of such importance, and at present of such general interest, that the commission are induced to repeat the remarks on the character, construction and history of the Ward's Island hospital, contained in their last Annual Report, which attracted much attention, and were, it is trusted, not without valuable practical results.

The hospitals are detached buildings, with one large ward with its appendages, on each story, with windows on all sides, and spacious open grounds. They are without architectural preten-

sion, but years of experience have shown them to be on the best plan for hospital buildings, whenever there is sufficient ground space, having the most effective means of ventilation and purification, besides being unsurpassed in convenience and comfort, and secure against fire, or the communication of erysipelas, hospital gangrene, or any of those infectious diseases which often break out or spread widely in large sanitary establishments.

The plan of insulated hospital buildings of but one or two stories, containing one large ward on each floor, with its proper appendages, offices, nurse's room, &c., with windows on each side, and in all respects corresponding to what is now recommended in Great Britain as a new and great improvement, under the name of the "Pavilion Plan," was first introduced and carried into execution on a large scale on Ward's Island in 1852 and 1853, with the most gratifying results. This plan, it is understood, has since been carried into effect in several hospitals in Europe, and is the principle on which the great Military Hospitals of the United States have been constructed within the last two or three years.

The Royal Sanitary Commission of Great Britain, in their official report for 1861, state their examination and condemnation of 162 barracks and 114 hospitals, which were so planned as to produce great increase of disease and mortality, and recommend "new principles in their construction," insisting upon "communication with the outer air by windows on opposite sides as absolutely necessary, and that the largest extent possible of surface should be exposed to sunlight."

The first experiment of this form of hospital construction by this Commission has still an earlier date, having been made with satisfactory results in 1848 and 1849, in the long single story hospitals of wood then erected, both on Ward's Island and at the Marine Hospital on Staten Island. These were in all respects inferior to the present hospitals on Ward's Island, but they showed experimentally the utility and efficacy of the principle, which was not only applied in a better form to the Ward's Island hospitals now in use, but when all the hospitals, both of the more expensive form of large and compact edifices, and of the more recent kind, were burnt and destroyed by a rigorous outbreak, new buildings on this plan, appropriate for numerous cases of malignant or contagious disease, were erected from the old materials. These are believed to be among the best hospital wards

in the world for such purposes, and though now rendered useless by the removal of the Quarantine Hospital, they have been taken as models for recent erections elsewhere.

In short, as far as can be judged from the language of the late report of the British Sanitary Commission, the hospital buildings of which they strongly recommend the erection "on the Pavilion plan," as a most valuable and indeed necessary improvement of the present system, will nearly resemble the brick hospitals on Ward's Island erected some ten years ago, and all of which have been in use for several thousand patients during each year for the last eight years, the first four having been erected and used in 1852.

The annual reports from the surgical and medical wards, since 1852, of the deaths and discharges as "cured," amply confirm the value of this system. They certainly present a far more gratifying result than the far larger proportion of deaths indicated by the report of the British Commissioners in the military hospitals of the old construction.

The means of a further, more extended and equally gratifying comparison with the largest and best hospitals of Europe, has been unexpectedly furnished by the publication of two most important official works published in Paris, in 1862 and 1863. One of these is the elaborate and able work of M. Husson, the eminent head of the general medical administration of Paris—"Etude sur les Hopitaux," 4to., Paris, containing the details of the construction, reports, etc., of the hospitals of Paris, and its vicinity, with an appendix embodying the results of similar examination in Germany by Dr. Oppert. The other is a most interesting report made by two eminent French medical men to M. Husson, of an official examination of the Hospitals of London as compared with those of Paris, in August, 1862, made with great fairness and minuteness. All the hospitals of Paris, London, and Berlin, are of the old system of construction, except the *Hopital Laraboisserie*, which is on the Pavilion system adopted in the new hospitals in France in process of construction or proposed.

The *Hopital Laraboisserie* was planned and proposed many years ago, by a committee of the former Academy of Sciences, under Louis XVI. It was indefinitely postponed for many years, until its erection was decided upon in the reign of Louis Philippe. It however was not completed and opened for patients until 1854. The superior efficiency of this system over all the old hospitals

was at once recognized. "It is," says M. Husson, "of all the Hospitals of France that which best fulfils the design of its erection." Several others for various special purposes have been since commenced in France upon this plan. Amongst others, may be specially mentioned the Marine Hospital at Nantes, intended to provide for 2,500 patients, entirely composed of a series of separate pavilions of three or more stories. A small part only of the intended plan is yet carried into effect.

The decay of the temporary wooden buildings on this plan erected to meet the immediate emergencies of the first years of the emigration commission, together with the necessity, arising from the change of the Quarantine system, of providing separate and quite insulated hospitals for typhus fever cases, from ship-board, sometimes (as in the last year) very numerous, led the Commissioners to the decided conclusion that the typhus fever patients could be best accommodated in the present surgical wards, substantial brick buildings on the Pavilion plan, which, from their situation near the water, and at the north end of the Island, could be quite insulated from the other buildings and patients, and would require only some addition of little cost to be made fever hospitals of the best class. For the reception of the surgical patients, it was determined to erect farther south, a large and commodious structure of brick, composed of from three to five separate pavilions of two stories, and which might be indefinitely extended when necessity required hereafter, to embrace all the recent improvements here and in Europe, and to combine, with those acknowledged advantages of the plan, whatever conveniences the old system of large hospitals might have, by uniting all by a broad corridor in the rear, sufficient for use of convalescent patients, as well as for communication between the parts of the establishment, without at all affecting the perfect insulation of the several wards in all material respects. A plan for such a series of buildings was procured, and after careful examination adopted unanimously by the Board.

They are proposed to be constructed of brick, substantially but plainly built, without any expensive architectural decoration whatever. The cost at present prices for labor and materials is estimated at \$156,472, which sum was appropriated and has been set apart to this object. From the present high prices of labor and materials, and the impossibility of now making any contracts for building on terms at all satisfactory, it was determined to post-

pone for some weeks, any further preparation for this important work. With the great advantages afforded by the spacious grounds owned by this commission, the excellent location which they offered, the abundant supply of the best water, (such as no hospital in Europe equals, as appears from the works just referred to,) it is confidently hoped that the commission will succeed in obtaining the most complete and efficient civil hospital which has yet been constructed.

The wide experience of the whole civilized world since the hygiene and construction of hospitals has become a subject of investigation and statistical record, corroborated by the more limited but not less convincing experience of Ward's Island, has demonstrated that the aids given to professional skill and science, by the hygienic advantages of judiciously constructed hospitals with all those arrangements for warmth, light, cleanliness, and ventilation, which recent hospital experience or scientific investigation has presented, produce results in cures, and in the comfort of patients, beyond the most sanguine calculations.

In addition to the reasons and authorities already produced for the preference for the pavilion system, and its enlargement for their uses, the Commissioners might cite the very recent work of Dr. Oppert, an eminent German physician, the practising physician of the Berlin University Polyclinique, who has compared the sanitary establishments of Germany with the chief of those of the rest of Europe. In this work he most decidedly recommends as preferable to all others the system of pavilions connected by a gallery with each other, and with any external building needed by the service. This plan he maintains is especially important for contagious maladies and for surgery; of which he presents the reasons with great clearness and force.

This plan has been adopted for the great hospital now in process of erection at Vienna. Another great hospital on the same system is building at Woolwich, in England, and the new hospitals at Brussels, at Rotterdam, and at Hamburg, are mentioned as particularly worthy of commendation, and are all on this system in place of buildings of the old construction.

The other buildings at Ward's Island, for the reception of aged or chronically diseased poor, for lying-in women, for the nurseries, for wash and bake house, for residences for the superintendent and physicians, all plain and simple, are convenient for their several purposes, and entirely separate from one another.

The whole cost of buildings and improvements on Ward's Island is about \$300,000. A portion of this sum, spent in the earlier buildings useful for the time, may be considered sunk; but the more important works were economically as well as durably constructed, and equal accommodation for the objects of such an institution, exclusive of the price of lands, could not be obtained for a less sum than the whole amount laid out in buildings from the first. Nor could an equal accommodation in lands and buildings for similar benevolent purposes now be procured in or near the city of New York for less than half a million of dollars, which is above the whole cost of the present Ward's Island establishment.

Mr. James P. Fagan, who was in 1860 appointed superintendent of Ward's Island, has continued to prove himself to be a most able, faithful, and economical administrator of the varied and important concerns intrusted to him.

The various improvements in the grounds and buildings, mentioned in former reports, as in progress or in contemplation, and which were effected chiefly by the labor of the inmates, have been suspended, in consequence of the demand for labor and the inducements of military service taking off the greater part of the able-bodied laborers. Scarcely enough of that class were left for the ordinary farm work and the service of the establishment.

In consequence of the great rise of prices of many articles of ordinary use and consumption in such an establishment, the proportional cost of support of the inmates has a good deal increased, so that the average expenses of the present winter will exceed those of the last in price.

The general care of the establishment on Ward's Island is confided to a standing committee, appointed for the year, who make frequent visits of inspection. The island is also visited from time to time by the other Commissioners, and occasional meetings of the Board are held there.

The whole number of inmates, whether diseased in the hospital, or infirm and helpless in the other department, during the year, was 4,911, being 1,664 more than in 1862, and 168 less than in the year preceding. The average number at any one time was about 716. The net cost of support of the Emigrant Hospital and Refuge was \$67,054.14, being \$10,909.74 more than in 1862, \$11,811.93 more than in 1861, \$8,140.73 more than in 1860, \$12,163.74 more than in 1859, and \$9,188.86 less than in

1858, amounting to considerably less than the expense of that year, or in several preceding years. The average annual cost of support, including the compensation of physicians and surgeons, the salaries and wages of officers and nurses, and all other expenses on the island, was nearly \$93.64 a head. Of the above average of 716 persons sustained and aided in the Ward's Island institution, 475 were hospital patients, and 241 inmates of the Refuge department. It is difficult to separate the accounts so as to show the precise expense of each class, but the hospital patients necessarily receive the largest proportional share.

Abundant supplies of vegetables, as well as of poultry, eggs, &c., are raised on the extensive grounds, and applied to the use of the establishment, thus so far lessening the amount of money expenditure.

The ordinary plan of procuring milk by contract has been abandoned, and by the purchase of an additional number of cows, an ample supply of fresh milk has been furnished for the use of the whole establishment. This has been found especially beneficial to invalids and infants. The decrease of deaths among motherless children thrown under the care of this commission has been striking, and it is believed to be mainly attributable to this cause. By the judicious management of the superintendent in the purchase and use of the cattle, the arrangement is found to be rather economical, though its advantages would be cheaply purchased at an increase of expense.

The diet is generally better than in many similar institutions, and not inferior to the best. The reduced state in which many patients are received, has made it a principle, as well of economy as humanity, to provide the most nourishing food proper for the case. The whole cost, including in many cases not expensive clothing, &c., it will be seen, is, therefore, during the last year, \$1.80 a head per week.

The following summary gives the aggregate results of the whole of these establishments, including the hospitals proper as well as the Refuge department:

Number of inmates in Institution on Jan. 1st,		
1863.....	655	
Number admitted during the year.....	4,025	
do of births do do	231	
Total number cared for and treated	-----	4,911

Number discharged during the year.....	3,634	
do of deaths do do	374	
Total number.....	————	4,008
do remaining on 31st December, 1863...		903
Number of days spent in Hospital.....	158,112	
do do do Refuge.....	94,100	
Total number of days.....	————	252,212

The school for the children, under the charge of the Commissioners, is now kept up as a ward school of the city, the Commissioners providing a commodious apartment, and paying for certain expenses. The arrangement is found beneficial.

The lessened number of emigrant patients during the autumn of 1863, left several of the hospital buildings unoccupied. This circumstance afforded to the Commissioners the gratification of receiving a large number of the sailors of the Russian squadron then in this port, who were suffering under scurvy and other diseases. This was done by an arrangement with the Consul-General of Russia and the Admiral. The number amounted at times to 160, during the months of September, October, and November. The advantages of the change from shipboard to an open and airy situation on shore, with ample space for exercise, for convalescents, and every variety of vegetable diet, were speedily shown in the recovery of nearly all. Admiral Lesoffsky expressed in person to the Commissioners his perfect satisfaction as to the care and management of his sailors and the beneficial results.

Medical and surgical administration of the hospitals at Ward's Island, and their statistics for the year.

The hospitals are divided into a medical and a surgical department. The medical department proper, including the asylum for the insane, is under the charge of a salaried physician, wholly resident on the island, with as many salaried assistants as the hospital service may require from time to time. George Ford, M. D., who had several years' practical experience on a large scale, in various medical positions in the hospitals of this commission, during periods when the wards were filled with the greatest number of patients and varieties of disease, was in 1858 appointed physician-in-chief at Ward's Island, and has since discharged the duties of that station with fidelity and success. He resides on the island, and devotes himself exclusively to the

service of the institution, as does also his assistant, Dr. Hermann Guleke. Dr. Hartshorne, the present assistant in the surgical department, also rendered valuable assistance on the medical side during the year.

The surgical department remains under the care of J. Murray Carnochan, M. D., who has had the sole charge of it as surgeon-in-chief since 1855. . . He regularly visits the surgical wards at fixed times, and also as often in addition as the surgical service may require, and performs all important operations. He has also one assistant surgeon, resident on the island. This place is now filled by William Hartshorne, M. D. One or more additional assistant surgeons have been and will be appointed whenever the number of surgical cases demands more aid, which has not been the case for the last or the preceding year.

There were receiving medical or surgical aid, 3,713 cases treated in the hospital, against 6,147 in 1856, 6,893 in 1857, 5,937 in 1858, 3,668 in 1859, 3,863 in 1860, 4,129 in 1861, and 2,445 in 1862.

These numbers, in both instances, included only the more serious cases, requiring regular hospital treatment; slighter sickness of chronic cases, requiring occasional professional aid only, are treated in the refuge department.

Although the whole number maintained in the establishment was less, yet the proportion of patients in the hospitals, and of others requiring occasional medical attention in the Refuge, to the whole number of the inmates of Ward's Island establishment, has continued to be this year, as well as in the three years preceding, larger than formerly. The bulk of the cases admitted to the hospitals were of a grave type; whilst there were fewer, in proportion, of slighter diseases than when the aggregate number of admissions was larger. The results of the practice, both medical and surgical, compare advantageously with the statistics of any similar establishment in Europe or America.

Both the medical and surgical departments were free, as they have now been for some years, from those epidemics which often appear as if spontaneously generated in large hospitals. In the surgical department the wards remained quite free from those epidemics, as erysipelas and hospital gangrene, to which patients suffering from accident or from surgical operation are often liable. In the ophthalmic wards, purulent ophthalmia occasionally presented itself, but was always speedily arrested. From

the increased number of typhus and typhoid fever cases (829 in all, most of them direct from shipboard), diseases of that class could not be prevented from spreading in the wards thus occupied, but the epidemic was confined chiefly to late arrivals. This circumstance shows the great need of further hospital accommodations for the proper separation or complete insulation of the several types of contagious fever, most of which were formerly received into the hospitals at Quarantine, while at present, with the exception of yellow fever, they are transferred to Ward's Island.

From this cause the rate of mortality was increased over that of the last year, yet was not large with reference to the character of the disease which caused this increase.

The asylum for all the insane patients chargeable to this Board, was completed early in 1861, and was inspected and approved (as required by law) by the supervisors of the county.

The limited number of patients, and their general uniformity of condition and circumstances of disease, render necessary some of those arrangements for classification and other objects required in larger insane asylums, with a great variety of patients; but this establishment, for its special object, its situation, salubrity, its ample adjoining grounds for convalescents, its separate outside yards, and its ample supply of water, compares with the best establishment of this kind, and affords facilities for treatment and classification of more patients than are at present likely to claim its aid.

It is under the direction of the Physician-in-chief, and is regularly attended by him and his assistant, Dr. Guleke. The results are gratifying, and compare in the proportion of cures with the best establishments of this nature, especially considering that nearly all of the cases had been of some and many of long duration, transferred from other places of confinement; since it is well established by general experience that insanity is far more curable in cases of recent attack than after it has become fixed by time. There were 123 under treatment during the year, of whom 34 were discharged cured or improved; 11, whose terms had expired, were transferred to Blackwell's Island, 8 to other wards for other maladies, 6 died, leaving 62 at the end of the year, of which 44 were females and 19 males.

The following summary gives the aggregate results of the practice, both medical and surgical, during 1863. The details,

as to the nature of diseases and other matters, will be found, as usual, in the medical and surgical reports appended to this report :

Cared for in hospital during 1863 (including 379 remain- ing on 1st January, 1863), together with 231 births...	3,713
Number discharged cured or relieved.....	2,895
do died	319
do remaining on 31st December, 1863.....	199

In the Refuge department, which has been appropriately termed, for medical purposes, the Dispensary department of the Institution, and which is regularly visited and inspected every day by the Physician-in-chief or an assistant, there were 2,300 cases treated. There were 55 deaths of infants in the refuge, and 36 in the hospitals proper, the deaths of many of whom are to be attributed to the deaths or diseases of the mothers, or their inability to afford the natural nourishment. This result, however melancholy, is one which appears in a much greater ratio in the statistics of institutions here and in Europe, where any number of such infants is received.

The whole number of cases treated, is reported as more than the aggregate number in the refuge and hospitals during the year. This circumstance often appears in our reports, and seems to require an explanation, which is briefly this : the majority of these cases are nursing women and children, who remain throughout the year, or most of it, under care of the Institution, and thus frequently come under medical treatment, so as to swell the aggregate number. This does not apply to the other hospital cases.

The percentage of mortality in the Hospital proper was, for 1863, 8.59 per cent on all cases treated; and calculated on the discharges, a mode of estimation sometimes preferred, 11.02.

On all cases under treatment in Hospital and Refuge, the percentage of mortality was 6.21.

The average number of patients in the Hospital throughout the year, both medical and surgical, was 475.

The surgical department continues to receive, as usual, many serious cases. Several capital operations were performed with successful results. The Commissioners cannot but call the attention of the Legislature to the fact reported by the Surgeon-in-chief, that in the 1,132 cases treated, the ratio of deaths was 1.14 per cent; a small mortality, which has few parallels in hos-

pital practice in any country. The number of surgical cases treated was 1,132, of which 922 were discharged cured, and 13 died, showing a proportion of deaths, about 1.14 per cent on all cases treated.

The number of cases treated in 1863 exceeded those of 1862 by 452.

The efficiency of the hospital treatment in the Ward's Island establishment will be satisfactorily shown by the results just stated, as compared with those given by M. Husson in his curious and most valuable work. The aggregate rates of mortality in all the *general* hospitals of Paris, receiving all classes of diseases, are thus stated :

	Surgical.	Medical.
1840 to 1849 inclusive, yearly average..	5.85	12.89
1850 to 1859 do	5.11	12.94
1860	6.46	12.63
1861	6.72	14.21

In the special hospitals in and near Paris, for special classes of cases, as for lying-in women, diseases of children, venereal cases, fevers, diseases of the eyes, where a much smaller proportion of deaths might be expected, yet the ratio is still above that shown in the reports of the commission for several years.

Special Hospitals of Paris.	Surgical.	Medical.
1840 to 1849 inclusive, yearly average..	4.63	8.09
1850 to 1859 do	4.	10.26
1860	4.19	11.88
1861	4.29	12.52

As the rate of mortality in the Ward's Island hospitals was increased in 1862 and 1863 above the usual average by the unusual number of cases of malignant fevers from shipboard, in order to present a fair comparison of the results of the practice in that establishment with those of the hospitals in Europe above stated, it will be proper to present a summary of the ratios of mortality for the last five years in the surgical and the medical departments of the hospitals proper on Ward's Island, on all cases treated :

	Surgical.	Medical.
1859	1.05	4.85
1860	1.60	4.91
1861	2.48	5.78
1862	0.58	8.50
1863	1.14	8.56

The hospitals of London are mostly independent corporations, not subject, like those of France, to general government regulations, and managed on different plans from each other. In the able and interesting report of MM. Blondel and Lerothe, two eminent French professional men of science, who examined the London hospitals in 1862, by an official appointment, after a full and candid comparison of the relative superiority and inferiority of each city in this respect, say, in regard to the statistics of cures and deaths, that it was impossible to present an accurate comparison, from the want of uniformity in the reports of the several hospitals, the incompleteness of some, and other causes; yet they present the following conclusion, which they support by the comparison of the returns of several of the principal hospitals in both cities: "Making all the fair allowances for causes which must affect the comparison, such as the proportion of surgical cases, the exclusion of incurable and other maladies, of venereal cases, and other circumstances, we can claim with confidence a rate of mortality decidedly lower on the side of the establishments of Paris."

If this be substantially correct, or even near the correct result, it is a gratifying fact that the reports of the commission have for some years shown a decidedly better ratio of cures and of mortality than can be claimed for the hospitals of either of the great centres of European civilization.

Landing place for Emigrant Passengers at Castle Garden.

The establishment at Castle Garden for the exclusive landing place of emigrants, has had its utility confirmed by the experience of an eighth year.

The duties of the Superintendent, formerly a separate office, have been efficiently performed by the Secretary and General Agent.

The report of the Superintendent and General Agent, with accompanying tables, appended to this report, exhibits many interesting and important details, of which not the least valuable and important are the statements of the relative proportions of sailing and steam vessels bringing passengers, the constantly increasing proportion of steamers in the business, their respective national flags, and the ports from which they sailed.

By comparison with former years, it is shown that the number of steamers landing passengers at Castle Garden, has increased from 22, bringing 5,111 passengers in 1856, to 109, bringing

34,247 passengers in 1860, to 95, bringing 21,110 passengers in 1861, to 100, bringing 25,843 passengers in 1862, and to 170 steamers, bringing 63,931 passengers in 1863.

Although the emigration of the last year exhibits a very great falling off from that of earlier years, the arrivals show the same marked difference in favor of steamers over sailing vessels as in late previous years; for instance, while in 1859 the average number brought by steamers was 230 against 184 in sailing vessels; in 1860 it was 314 against 109; so in 1861 it was 222 against 132, and in 1862 it was 258 against 150, showing an average difference in favor of steamers of 113 passengers in 1863, of 108 in 1862, of 90 in 1861, of 115 in 1860, and of 49 in 1859.

The statistics collected and preserved at the emigrant depot, as to emigrants, their nations, and their destination in this country, with other details, are curious and instructive, and gradually form a body of valuable information for legislative and financial uses.

The number of persons who landed at Castle Garden was 161,648 (including many not subject to bonds or commutation); arriving in 544 vessels, from 16 different ports.

None of these vessels were crowded with passengers as often occurred in former years, the average number in each vessel being 297. Register entries have been made of the intended or avowed destination of each passenger, a table of which accompanies this report. Of these, 84,105 reported their intended destination to be the State of New York; 19,139 Pennsylvania and New Jersey; 17,516 to New England; 4,428 to the Southern States; 28,179 to Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Minnesota and California; and 8,281 to Kansas, Nebraska, Canada, &c., &c.

The plan of enabling families destined for the interior to proceed on their journey without sacrifice of their property, by making small advances on a pledge of baggage or other portable property, without interest or any additional charge for storage or otherwise, produces great good, effected with small cost.

The experience of six years has shown the value of this plan, and it has since been continued regularly with the best effect. Thus assistance had been rendered to many who might otherwise have become the prey of fraud, or have fallen into destitution, whilst the character of the assistance was such as not to

lessen the feeling of independent self-reliance necessary to self-support and success in all callings:

There has been advanced for this object during 1863, the sum of \$681 to 103 families. Of this amount, \$656 has already been paid by 101 of these families.

Of the whole amount advanced since this plan was adopted in August, 1856, viz., \$22,622, there remains due \$1,411.75 by 114 families. The table in the Appendix shows the annual amounts since 1856.

A considerable quantity of baggage unclaimed and unredeemed, has accumulated in the store rooms at Castle Garden, appropriated for baggage rooms, much of which, from the length of time, is deteriorated, or has indeed, become already of little value, and is becoming an incumbrance to the establishment. It is again respectfully suggested that the Commissioners should be allowed, in their discretion, with such guards as the law might provide, to dispose of by public auction such baggage left in pledge, or remaining unclaimed after a stated term. The proceeds should be applied to liquidate the advance, and the excess, if any, as also the proceeds of the unclaimed effects, held for the benefit of the owner, whenever he might appear.

The arrangements of the department for letters and messages for the emigrants have been of excellent effect. During the year 1863, there were 2,196 letters written for newly arrived passengers, to which 1,668 answers were received at Castle Garden, containing \$19,168.99. Remittances amounting to \$26,978.92 were also received in anticipation of the arrival of the passengers. Besides the above moneys, the several amounts of \$918.52, \$21,038.10, and \$289.30, mentioned in page 6 of this report, were received at this office, at the office of the Irish Emigrant Society, and at the office of the agent at Albany, and applied to the forwarding of recently arrived emigrants. Numerous messages were also received from emigrant societies and from individuals, to inform passengers, on their landing, of funds being ready at their disposal when they should arrive, with the necessary information respecting them.

The lease under which Castle Garden was held by the Commissioners expired in May, 1859. The title of this property, with the building, wharf, &c., is in litigation between the State and the city of New York, and the case is now before the Supreme court. Whatever may be the decision as to the legal ownership,

in the judgment of the Commissioners the renewal of this lease is important for the protection of the helpless emigrant, and the best interests of humanity.

Under the authority of the Comptroller of the city of New York, the possession and lease by the commission have been extended temporarily, and will probably continue under the city title until the settlement of the question between the city and the State.

The Quarantine, Marine Hospital, &c.

The Commissioners of Emigration had for several years past annually pressed, without effect, upon the Legislature, the equity and policy of relieving their funds from the burden of the support of the quarantine and its hospitals. This was at length granted by the law of 1862. That law, in providing for the reception of yellow fever and other cases of pestilence in a floating hospital, has had the happiest effect. But other cases of a contagious character, which often appear in our crowded vessels, such as typhus and other fevers, and small pox, when occurring among emigrants arriving at the port of New York, are still left to be taken care of by this commission; these were formerly received at the quarantine. By an arrangement with the Commissioners of Charities and Correction, the small pox patients so chargeable to this commission are received at the Small Pox Hospital on Blackwell's Island, in buildings specially erected for that purpose, and entirely insulated from the other establishments of that island. They are regularly paid for by this commission, at a rate agreed upon between them and the Commissioners of charities and correction.

The cases of contagious fever amongst emigrants chargeable to this commission, and formerly constituting a large proportion of the patients at Quarantine, are now of necessity sent to Ward's Island. During the last year 829 such cases were received there. Had so large a number, or any considerable portion of them, been left scattered in the cities of New York and Brooklyn, malignant fever might have spread rapidly; but their removal to the spacious grounds and separate buildings at Ward's Island, remote from a dense population, averted this danger. They were accommodated as well as the buildings now at the disposal of the commission would permit, and though some of these buildings are not of the best class for the purpose, no inconvenience was expe-

rienced, as the number of surgical and other medical patients was much less than in many former years.

But the experience of 1863, in this respect, demonstrated the need of permanent buildings, to be devoted, when required, to this purpose only, and quite separated from all the other establishments. It was judged, as before stated, that this could be obtained most effectually by devoting the brick surgical wards at one end of the island to this object, for which they could be admirably adapted, by some not expensive additions, especially as they were so situated as to allow entire separation from all other inmates of the island. But this appropriation of the surgical wards involved (as shown above) the necessity of new building for the former occupants of the surgical wards. Thus it will be seen that the proposed new Surgical Hospital is not merely a great sanitary improvement, but is also a direct consequence of the change of the Quarantine system.

The law of 1863 directs the sale of the lands at Quarantine held by the commission in trust for the people of the State of New York. This property is subject to a mortgage of \$200,000, covering the former Marine Hospital lands on Staten Island, with all the Ward's Island property held by this commission. The debt was contracted at various times, and the mortgage given with the express consent of the Governor, Attorney-General, and Comptroller, as required by law, during the administration of Governors Fish, Hunt and Morgan. The loan was obtained when raised to its present amount, chiefly upon the credit of the estimated value of the Quarantine property. The Commissioners have thought that if for the payment of the whole mortgage they should contribute \$50,000, it would be fully as much as the relative value of the two pieces of property would induce them to offer, and probably more than the equity of the mode of raising and the application of the funds from alien emigrants would authorize. As this sum has been recommended by the Comptroller, and has, during the present session, been approved as fair by the Assembly; in the bill passed by them, the Commissioners assent to this division of the debt.

The additional sum of \$7,500 is a separate mortgage on the Seguin's Point property, purchased for quarantine use. The money having been borrowed for the use of quarantine and applied to that object only (see report of 1861), the mortgage ought to be paid off wholly from the quarantine funds.

Financial concerns and condition of the Commission.

On the 1st of January, 1863, the books of the Commissioners of Emigration presented the following results of their financial state :

The indebtedness at the close of the year 1862 was as follows :

Amount of bond and mortgage.....	\$207,500 00	
Amount due counties and institutions for support of emigrants.....	2,500 00	
	<hr/>	
	\$210,000 00	
Less balance in bank, Dec. 31st, 1862	17,744 78	
	<hr/>	\$192,255 22
		<hr/>

The indebtedness at the close of the year 1863, is as follows :

Amount of bond and mortgage.....	\$207,500 00
	<hr/>
	\$207,500 00

Less balance in bank, Dec. 31st, 1863.....	\$25,666 07	
Less amount on deposit in New York Life In- surance and trust Co., at 4 per cent.....	6,968 13	
Less amount invested in 7 $\frac{3}{16}$ per cent. Treasury Notes	50,000 00	
Less amount invested in U. S. 5-20 bonds	136,000 00	
Less amount invested in one year certificates of indebtedness.....	65,000 00	
	<hr/>	283,634 20

Being less than at the close of the year 1862.. \$76,134 20

This statement of the financial condition of the commission at the beginning of the present year, shows an investment of about \$251,000 in U. S. Government securities, being the gradual accumulation of the last three years. This, however, cannot be considered as a surplus fund. The necessity which has been for some time apparent, of providing additional hospital buildings on Ward's Island, led to the appropriation and setting aside of

the sum of \$156,472, to be raised from the sale of these securities and applied to the proposed buildings. That amount was assumed on an estimate founded on the prices of buildings and materials in the latter months of 1863. Taking into consideration the uncertainty of prices for the next year, and also the additional cost of fitting up the fever hospitals for the intended purpose, the needful expenditure cannot be less than \$200,000, and may probably exceed that amount. The sum of \$50,000 will be also required to relieve the Ward's Island property from its share of indebtedness on mortgage.

These expenditures, it will be seen, must certainly nearly absorb, and may perhaps somewhat exceed, the whole amount provided and invested to effect purposes, in part of unavoidable necessity, and all most desirable for the best objects of the institution. When these ends are attained, the commission will have no surplus fund whatever, but it will be entirely relieved from debt, which has long been a serious impediment to its operations, and will be otherwise in a situation to carry out with efficiency all the requisitions of our wise and humane State legislation.

It may be added, that the expenses of the winter, with increased numbers in the Ward's Island establishment, and, probably, of persons in the several counties chargeable, may also lessen the funds on deposit.

It has been stated, in former reports, that the payments in support of the quarantine during 1861 were made from the proceeds of the sale of the bonds of Richmond county awarded to this commission for the destruction of their personal property at the late marine hospital, which bonds had been issued to them by the supervisors of Richmond county. Of the sum thus raised the whole has been expended for strictly quarantine purposes, except a small balance of about \$500.

But the additional sum of \$107,251 was also awarded to the Commissioners of Emigration, by the commissioners, under the act of 1860, to assess such damages, for the destruction of their buildings, houses, and hospitals, as damages to their real estate. These bonds, the Commissioners of Emigration expected and claimed to receive, but the supervisors of Richmond county, claiming that this commission were merely trustees for the people of the State, have refused to issue to them, and have deposited the bonds with the Treasurer of the State.

Application was made on the part of this Board to the supreme court for this district, for a mandamus to compel the supervisors of Richmond county to issue these bonds to this commission, to whom the award was certified under the act. It was, however, denied; and it was held, at the general term of the supreme court for the first judicial district, "that it would have been a more exact compliance with the act, if the bonds had been given to the Commissioners of Emigration instead of the Treasurer of the State. Nevertheless the act had been substantially complied with, and to grant the application would be productive of more inconvenience than the rights of the relators require."

This decision, from which an appeal has been taken, will be found in the appendix to the report of 1861. The Commissioners are not merely trustees for the people of the State, but in a less technical, though not less equitable sense, they are also trustees for those who have contributed the fund for the relief of alien emigrants, and who are entitled to share in its benefits.

They had the financial and economical administration of the former marine hospital for about thirteen years, during which time they expended on buildings, wharves and other improvements of the real estate a large sum, and which expenditure was from the Commutation or Emigrant fund, the amounts received from Quarantine vessels and similar sources being scarcely equal to the expenses incurred for diseased patients other than aliens contributing to the Commutation Fund. That fund is happily, for the present, able to meet the immediate demands upon it. It seems due alike to reasonable prudence and to strict equity, that these evils should be provided against by a legislative direction, by which these bonds should be restored to the Emigrant Fund, for the proper application of which the public faith is pledged to all its contributors.

It is, therefore, respectfully submitted that these bonds should be directed by legislative authority to be transferred to the Commissioners of Emigration.

If, however, for any reason, these bonds should be retained by the State, then it is most respectfully submitted, that as they are given as compensation for destruction of buildings, etc., erected at various periods, from funds contributed by alien emigrants, for whom the Commissioners are the agents and trustees, or from moneys borrowed on mortgage for and applied to these buildings and improvements for which these bonds were given, they should

be regarded as the proper fund to pay off the encumbrances on the property of the commission, without demanding payment of any portion of it from the Emigrant Fund.

A piece of ground of about four acres on Staten Island, distant some three miles from the former Marine Hospital, was purchased by the Commission in 1849, for a burying ground. It can no longer be used for that purpose, and should be sold. As the land was paid for from the general Commutation Fund, it is equitable that the proceeds of the sale should be refunded to the Commissioners on the same account.

The unsettled account with the former Governors of the New York Alms House still remains unadjusted, the Commissioners claiming, as heretofore, a larger amount as an offset to these charges, being for the support of native children of emigrant mothers. The nature and grounds of this claim are fully set forth in the report of the Board for 1855, and the accompanying documents in the Appendix.

The following abstract statement of the receipts and expenditures of the Commissioners of Emigration will show the sources and amount of their income, and the nature and amount of their expenditures, during the year 1863. The several items of the account, more minutely stated, will be found in detail in the Appendix to this report.

ABSTRACT STATEMENT—COMMUTATION FUND, 1863.

Receipts.

Amount of commutation money received from owners and consignees of vessels for alien passengers	\$313,090 00
Amount of commutation for compromise of special bonds	6,248 26
Amount of commutation from emigrants, for their transportation to the interior, and to Europe	3,666 23
Amount of commutation for support of illegitimate children	1,060 86
Amount of commutation for licenses granted to emigrant runners	560 00
Amount of commutation penalties for deaths at sea on board emigrant vessels	1,200 00

Amount of commutation for rent of Castle Garden.....	\$6,000 00	
Amount of commutation for interest on U. S. securities and premium on gold.....	7,011 92	
Amount of commutation from Comp- troller for taxes erroneously paid.	366 29	
Amount of commutation for sale of groceries, hire of wet nurses, &c., Ward's Island.....	1,700 68	
Amount of commutation for sundries, as per cash account.....	122 76	
	<hr/>	\$341,027 00
Balance in bank, January 1st, 1863.....		17,744 78
		<hr/>
		\$358,771 78
		<hr/>

Expenses.

Disbursements on account of Com- missioners' Office.....	\$17,136 39
Reimbursements to institution for support of emigrants.....	6,213 72
Reimbursements to counties for sup- port of emigrants.....	9,578 50
Expenses of Emigrant Landing De- pot, Castle Garden.....	24,607 30
Disbursements by the several agents of the Commissioners.....	4,978 85
Support of Emigrant Refuge and Hospital.....	68,754 82
Board and lodging of emigrants in city.....	401 35
Forwarding emigrants to interior and to Europe.....	6,988 28
Funeral expenses of employees.....	125 00
Horse feed in city.....	1,141 78
Horse-shoeing and blacksmithing...	304 67
Horses.....	480 00
Health Officer's boatmen, compromise of claims for rent.....	1,500 00
Insurance on property at Ward's Island.....	1,107 25

Interest (yearly) on bond of \$207,500	\$12,968 75	
Interest (accrued) on U. S. securities purchased	3,005 58	
Interments	208 50	
Postage and telegraphic despatches.	184 09	
Printing	274 21	
Support of illegitimate children	638 00	
Salary of counsel to Board of Com- missioners	1,250 00	
Salaries of Commissioners' clerks in Mayors' office, Savings' Bank, with City Chamberlain, &c., &c.,	2,850 00	
Provisions supplied to emigrants in Castle Garden	473 66	
Taxes and arrears on leased property, Ward's Island	1,072 07	
Ambulance, new, \$400, and repairs to old one, \$75	475 00	
Sundry other expenses(see Appendix)	1,464 94	
Amount appropriated during 1863 to purchase U. S. securities, \$174,950, less \$10,000 refunded	164,950 00	
		<hr/>
		\$333,105 71

Balance January 1st, 1864

\$25,666 07

GEORGE W. WHEELER, *Treasurer.*

G. C. VERPLANCK,
ANDREW CARRIGAN,
CYRUS CURTISS,
ELIJAH F. PURDY,
JOHN P. CUMMING,
WILSON G. HUNT,
A. A. LOW,
E. VON DER HEYDT,
GEORGE OPDYKE.

City and County of New York, ss:

G. C. Verplanck, Andrew Carrigan, Cyrus Curtiss, Elijah F. Purdy, John P. Cumming, Wilson G. Hunt, A.A. Low, E. Von der Heydt and George Opdyke, Commissioners of Emigration, being duly sworn and affirmed, in accordance with the requirements of Section 10 of an Act entitled "An Act for the Protection of Emigrants arriving in the State of New York," passed 11th

April, 1848, depose and say, each for himself, that the report annexed is correct, to the best of the knowledge, information, and belief of each and every one of them; and that he has not, directly or indirectly, been interested in the business of boarding emigrants, in the transportation of any emigrant passengers through any portion of the interior of this country, nor has made or received, directly or indirectly, any gain, profit, or advantage, by or through the purchase of supplies, the granting of any contract or contracts herein, or licenses, privilege or privileges, or the employment of any officer, servant, or agent, mechanic, laborer, or other person, in the business under the control of the said Commissioners.

G. C. VERPLANCK,
ANDREW CARRIGAN,
CYRUS CURTISS,
ELIJAH F. PURDY,
JOHN P. CUMMING,
WILSON G. HUNT,
A. A. LOW,
E. VON DER HEYDT,
C. GODFREY GUNTHER.

Sworn to before me this 29th day of
February, 1864.

GEORGE W. WHEELER,
Notary Public.

APPENDIX.

Number and nativity of alien passengers arrived at the port of New York during the year 1862, who were liable to bonds of commutation, under the acts of April 11th, 1849, July 11th, 1851, and April 13th, 1853.

From Ireland,	92,157
do Germany	35,002
do England	18,757
do Scotland	1,937
do Denmark	1,580
do Sweden	1,370
do France	1,303
do Switzerland	1,194
do Wales	1,143
do Belgium	456
do Italy	444
do Holland	407
do W. Indies	256
do Norway	238
do Spain	202
do Poland	137
do Nova Scotia	77
do South America	60
do Russia	47
do Mexico	38
do Canada	17
do Africa	6
do China	5
do Portugal	3
do East Indies	3
do Turkey	2
do Greece	2
do Sicily	1
	<hr/>
	156,844
	<hr/>

COMMUTATION FUND—1863.

Amount received for commutation of bonds under the laws of April 11th, 1849, and April 13th, 1853.

Jonuary, commutation money.....	\$6,136 00
February, do	3,178 00
March, do	9,908 00
April, do	25,618 00
May, do	47,698 00
June, do	48,128 00
July, do	37,330 00
August, do	30,746 00
September, do	24,728 00
October, do	32,406 00
November, do	25,074 00
December, do	22,140 00
	<hr/>
	\$313,090 00

Amount received for compromise of special bonds.....

\$6,248 26

From emigrants, being amount refunded by them for advances made for their transportation to the interior, and to Europe

2,042 74

From Irish Emigrant Society, refunded for forwarding emigrants to destination.....

1,623 49

Licenses granted to emigrant runners..

560 00

For support of illegitimate children ..

1,060 86

Penalties for deaths on board emigrant vessels (under law of United States) during passage from Europe and other countries

1,200 00

From Weed, Banker & McDonald, rent of Castle Garden,.....

6,000 00

From Comptroller, being amount of taxes erroneously paid by Commissioners of Emigration,.....

366 29

Interest on United States securities, and premium on gold.....

7,011 92

Use of Marine hospital grounds for grazing.....

40 00

Sale of old pamphlets and paper from office.....	\$28 76	
Sale of one horse	45 00	
Sale of 3,000 brick from Marine hosp'l	9 00	
For board of children and others at Ward's Island.....	165 00	
For blacksmithing and horseshoeing ..	19 75	
For ferriage from visitors, from foot of 110th street to Ward's Island.....	233 70	
From employers of wet nurses taken from Ward's Island.....	440 00	
For sale of groceries to physicians and others.....	392 28	
For sale of empty flour barrels.....	191 06	
do empty casks.....	19 75	
do bones	67 50	
do hides	28 36	
do fat.....	14 28	
do rags	82 00	
do live stock.....	15 00	
do dry goods.....	25 50	
Overpaid wages.....	6 50	
	<hr/>	\$27,937 00
Total		<hr/> <hr/> \$341,027 00

EXPENSES.

Disbursements for Commissioners' Office, Castle Garden.

Contingent expenses	\$17 73
Fuel for kindling fires	9 68
Furniture.....	65 35
Glazing ..	7 20
Gas and gas fixtures.....	74 41
Hardware	5 06
Ice for season of 1863	75 00
Printing	64 25
Plumbing	16 28
Repairs.....	3 23
Stationery	801 78
Salaries and wages.....	15,940 68

Soap	\$3 30
Stoves, pipe, &c.....	19 15
Woodware	33 34

 \$17,136 39 .

*Disbursements to Institutions for support of
Emigrants.*

Buffalo Hospital	\$1,102 23
do Female Hospital.....	360 97
do General Hospital.....	26 57
Commissioners of Public Charities and Correction	810 76
Institution for the Blind.....	30 00
New York Hospital.....	388 57
Providence Lunatic Asylum, Buffalo..	238 45
St. Vincent's Hospital, New York....	591 00
St. Mary's Hospital, Rochester.....	1,106 53
St. John's Orphan Asylum, Utica.....	301 22
Troy Hospital.....	1,042 12
Troy Orphan Asylum.....	215 30

 \$6,213 72

Disbursements to Counties for support of Emigrants.

Albany county.....	\$1,063 71
Broome do	233 29
Chautauqua do	2,503 88
Dutchess do	399 37
Erie do	451 43
Herkimer do	14 99
Kings do	1,131 72
Monroe do	56 19
Montgomery do	122 53
Oneida do	647 72
Onondaga do	336 47
Orange do	12 75
Oswego do	43 25
Queens do	615 66
Rensselaer do	480 72
Rockland do	316 11
Richmond do	240 79
Saratoga do	113 30
Seneca do	21 75

Ulster county.....	\$264 28	
Wayne do.....	188 00	
Westchester do.....	300 03	
Warren do.....	20 56	
	<hr/>	\$9,578 50

*Disbursements on account of Emigrant Landing
Depot, Castle Garden.*

Boiler and cooking apparatus, repairs to	\$43 '88	
Coal, 104 ¹² / ₁₀₀ tons.....	773 61	
Disinfecting fluid.....	33 38	
Gas and gas fixtures.....	712 95	
Painting and glazing.....	127 19	
Rent for one year.....	10,000 00	
Repairs and improvements.....	3,530 18	
Salaries and wages.....	8,867 09	
Stoves, pipe, &c., &c.....	195 83	
Water rent.....	321 94	
Woodware.....	1 25	
	<hr/>	24,607 30

Disbursements by Agent in Albany.

Advertising in and subscription to news- papers.....	\$20 50	
Bread, 346 loaves.....	20 76	
Board of emigrants.....	9 65	
Coal, 5 tons,.....	35 82	
Cartage,.....	7 50	
Forwarding emigrants to destination, ..	6 25	
Groceries and provisions supplied to emigrants,.....	12 96	
Medical attendance on emigrants,.....	5 00	
Milk.....	3 25	
Postage and telegrams,.....	16 75	
Rent of office, one year,.....	200 00	
Stationery,.....	10 18	
Straw,.....	2 50	
Salaries and wages,.....	1,252 00	
	<hr/>	1,603 12

Disbursements by Agent in Buffalo.

Bread, 2,101 loaves,.....	\$107 28	
Carriage hire to poorhouse,.....	12 00	
Forwarding emigrants to destination, ..	97 35	

Furniture,	\$3 49	
Groceries and provisions for emigrants, ..	447 13	
Interments, 7,	35 00	
Meat, 1,152½ pounds,	64 21	
Milk, 438 quarts,	17 86	
Postage and telegrams,	8 71	
Rent of office, one year,	144 00	
Stoves, pipe, &c., &c.,	19 32	
Stationery,	26 38	
Shoes, 19 pairs,	36 80	
Wood, 24 cords,	146 00	
Salaries and wages,	1,296 00	
	<hr/>	\$2,461 53

Disbursements by Agent in Rochester.

Rent of office, one year,	\$50 00	
Salaries of agent and assistant,	850 00	
Travelling expenses on business of the Commission,	14 20	
	<hr/>	914 20

*Disbursements on account of Emigrant Refuge and
Hospital, Ward's Island.*

Alcohol, 45 gallons,	\$44 10	
Butter, 8,073 pounds,	1,895 77	
Biscuit,	1 30	
Blankets, 402 pairs,	1,235 16	
Barley, 100 pounds,	7 00	
Beef and pork, 2 barrels,	31 38	
Beans, 1 bushel,	3 75	
Coffee, 4,228 pounds,	857 48	
Cocoa, 60 pounds,	21 30	
Contingent expenses,	318 71	
Clocks, repairs to,	35	
Corks, 24 gross,	10 80	
Candles, 156 pounds,	36 42	
Clothing, waterproof, for boatmen,	29 25	
Croton water, rent for one year,	1,000 00	
Coal, 566 tons,	4,155 54	
Candy, 5 pounds,	1 30	
Drugs and medicines,	983 73	
Dry goods, 27,699 yards,	6,837 48	
Die, for stamping,	4 00	

Eggs,	\$129 79
Empty cask,	3 00
Flour, 1,280 barrels,	8,305 55
Fish, fresh and salt,	582 57
Flaxseed meal, 1,340 pounds,	134 81
Fruit,	16 50
Farm mill,	50 00
Farming utensils,	36 18
Flags,	30 00
Farina,	15 00
Glass and earthenware,	166 41
Grate bars,	16 93
Garden seed,	53 49
Hard and tinware,	391 54
Honey 6½ pounds,	1 63
Hams,	23 37
Horsefeed,	65 61
Hops, 177 pounds,	37 28
Hats, 6 dozen,	8 25
Harness, repairs to,	6 50
Hoisting coal,	86 40
Indigo, 15 pounds,	22 50
India rubber sheeting, 10 yards,	16 15
Ice,	421 76
Iron,	1 66
Lard, 599 pounds,	62 16
Lamps and lanterns,	51 46
Labor,	2 50
Locks and repairs,	1 63
Live stock,	714 00
Leather and findings,	96 86
Lumber,	808 98
Lime and cement,	55 45
Molasses, 650 gallons,	321 02
Meat, fresh, 121,304 pounds,	8,408 44
Milk, 5,645 quarts,	353 65
Meal and feed,	1,811 07
Malt, 12 bushels,	24 75
Mowing machine,	100 00
Mustard, 70 pounds,	22 00
Nails, 14 kegs,	68 10

New Year cake, 250 pounds	\$50 00	
Oil, 1,334 gallons	1,293 32	
Paints	199 72	
Poultry	61 82	
Potatoes, 45 barrels	88 80	
Potash, 1,180 pounds	93 26	
Repairs to buildings	1,133 58	
Rope	42 49	
Range, repairs to	3 63	
Sugar, 25,477 pounds	3,111 74	
Starch, 700 pounds	58 19	
Spices	93 40	
Salt, 53 sacks	136 15	
Stationery	320 12	
Salaries and wages	15,953 54	
Shoes, 1,156 pairs	882 01	
Soap, 6,072 pounds	552 06	
Stoves, pipe, &c., &c.	1 52	
Steam engine, repairs to	3 50	
Tea, 2,675 pounds	1,946 28	
Thread, tape, pins, &c., &c.	263 39	
Trusses, 12	10 00	
Tin	62 23	
Tobacco, 335 pounds	217 80	
Vinegar, 15 barrels	45 50	
Woodware	435 28	
Whiskey, 1,060 gallons	621 47	
Wagon, repairs to	24 62	
Yarn, 30 pounds	36 00	
Zinc, 109 pounds	13 63	
		\$68,754 82

Deducting amounts received for sale of sundry articles, for hire of wet nurses, &c., &c., the net cost of support of Ward's Island for 1863 is \$67,054.14

Unclassified expenditures on account of Emigrant Refuge and Hospital, together with disbursements on account of emigrants in the city of New York, and elsewhere in this State.

Advertising in, and subscription to newspapers.....	\$70 55
Architect, services of.....	20 00
Boat, oars, &c.....	97 77
Board and lodging of 1,269 emigrants in city.....	401 35
Badges for licensed emigrant runners..	13 61
Commissions on purchase of supplies for Ward's Island.....	417 36
Cartage and freight on supplies for Ward's Island.....	259 27
Carriage hire, conveying sick to hospital, &c.....	42 50
Contingent expenses.....	36 49
Forwarding emigrants to Europe, in part at the expense of the commission...	1,382 80
Forwarding emigrants to the interior, in part at the expense of the commission.....	5,605 48
Funeral expenses of employees.....	125 00
Fire crackers for 4th of July.....	6 00
Horseshoeing and blacksmithing in city	304 67
Horse feed in city.....	1,141 78
Horses.....	480 00
Harness and repairs.....	102 00
Health officer's boatmen, compromise of claims for rent.....	1,500 00
Insurance on property at Ward's Island,	1,107 25
Interments in city and at Ward's Island,	208 50
Interest (yearly) on bond of \$207,500..	12,968 75
Interest (accrued) on U. S. securities..	3,005 58
Medicines administered by physician in Castle Garden.....	16 31
Postage and telegrams.....	184 09
Printing.....	247 21
Repairs to cemetery, Staten Island....	14 73
Rent of ground, foot of 106th street ..	25 00

Support of illegitimate children	\$638 00	
Stage and car fare	124 85	
Steamboat hire	109 50	
Salary of counsel to the Commission- ers of Emigration.....	1,250 00	
do agent in Oneida county....	600 00	
do city chamberlain's clerk....	700 00	
do Com'r's clerk in mayor's office,	600 00	
do Commissioner's clerk in Emi- grant Savings Bank.....	450 00	
do examining physician at the " tombs "	500 00	
Temporary relief (provisions furnished to emigrants in Castle Garden, in part at the expense of the owners and consignees of vessels).....	473 66	
Taxes (and arrears) on leased property, Ward's Island.....	1,072 07	
Traveling expenses of agent of Commis- sioners	10 00	
Trusses, applied by physician in Castle Garden.....	6 00	
Veterinary surgeon, services of	18 00	
William Sell, an orphan, balance due him	25 00	
Wagon, and repairs	475 00	
Services of special agent in Albany...	50 00	
	<hr/>	\$36,886 13
Total expenditure for 1863.		<hr/> <hr/> \$168,155 71

REPORT OF THE SUPERINTENDENT OF WARD'S ISLAND.

STATE EMIGRANT REFUGE AND HOSPITAL, }
WARD'S ISLAND, *January 1st, 1864.* }

To the President and Board of Commissioners of Emigration :

GENTLEMEN—Herewith I beg leave to present my report, with accompanying tables, for the past year.

The number of inmates in the institution, while exhibiting an increase over the preceding years equal to 33 per cent, shows a remarkable change in the class of inmates. For instance, the average number of patients in hospital shows an increase from 375 to 475, while the average number in the Refuge shows a decrease from 262 to 241. The latter is attributable, in great part, to the demand for labor of all descriptions during the past year.

The mode of furnishing the institution with fresh milk, and which was referred to in the reports for the preceding two years, was continued during the last year with the same favorable results.

Although much pressed for labor, the quantity of ground under cultivation was, during the past year, enlarged, and the value of the vegetables, &c., raised and supplied for the use of the institution, has been increased over the year 1862 nearly 25 per cent.

The enhanced cost of all articles required for the institution has, notwithstanding a continuance of the same economy, with a due regard to the interest and comfort of the inmates exercised by me in past years, increased the cost of supporting the institution to \$1.80 per head, against \$1.39 in 1862.

I would call the attention of the Board to the necessity of increased hospital accommodations, which will very probably be required during the present year.

Respectfully,

JAMES P. FAGAN, *Superintendent.*

Number of inmates in institution Jan. 1st, 1863	655	
do do admitted during the year..	4,025	
do births during the year.....	231	
Total number cared for	—	4,911
Number discharged during the year,.....	3,634	
Number of deaths during the year in both refuge and hospital.....	374	
Total number.....	—	4,008
Number remaining on the 31st Dec., 1863....		903
Number of days spent in hospital,.....	158,112	
do do refuge.....	94,100	
Total number of days spent in both ..	—	252,212

Number of daily admissions during the year 1863.

No. OF DAYS.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
1	11	....	....	7	8	3	8	14	17	4	....	12	
2	5	4	4	4	11	14	18	....	15	11	17	9	
3	13	5	8	10	....	5	17	16	12	13	5	13	
4 .....	....	2	8	7	4	10	....	16	10	....	10	8	
5	13	5	....	....	10	7	....	102	12	111	12	7	
6	13	7	5	4	7	9	15	12	....	14	9	....
7	13	....	7	4	14	....	9	7	12	22	6	6	
8	8	....	....	1	6	11	8	9	13	18	....	8	
9	6	8	10	4	12	14	14	....	7	30	20	26	
10	4	4	8	1	....	8	13	17	15	71	4	28	
11 .....	....	6	7	11	13	7	9	14	7	....	11	14	
12	11	10	17	....	14	13	....	24	7	16	17	4	
13	10	4	11	12	14	10	17	12	....	8	10	....
14	2	6	13	6	9	....	14	11	17	17	13	16	
15	4	....	....	8	5	13	3	27	19	8	....	107	
16	4	3	9	8	18	17	13	....	9	9	10	22	
17	4	5	4	15	....	14	11	9	3	25	13	5	
18 .....	....	5	5	14	39	9	16	20	11	....	18	11	
19	4	4	8	....	21	13	....	22	4	22	16	9	
20	9	4	5	14	14	20	26	15	....	16	9	....
21	9	5	7	8	16	....	12	15	9	15	7	12	
22	4	....	....	10	14	12	9	14	19	15	....	14	
23	6	2	6	8	17	13	19	....	11	17	26	11	
24	7	4	5	12	....	32	10	17	12	30	9	12	
25 .....	....	4	7	4	11	18	13	15	8	....	8	....
26	11	7	7	....	41	11	....	11	7	9	8	24	
27	12	6	5	7	16	7	26	16	....	15	100	....
28	6	3	5	8	13	....	16	12	9	12	12	9	
29	9	....	....	15	43	8	5	14	3	18	....	22	
30	7	....	7	12	21	10	22	....	9	16	12	19	
31	2	....	4	....	....	....	16	20	....	18	....	95	
Total.....	207	113	182	214	406	298	359	481	277	580	382	526	4,025

Sex, age, and distribution of admitted persons.

MONTH.	SEX.		AGE.			DISTRIBUTION	
	Females.	Males.	Adults.	Children between 1 & 12 years.	Infants under 1 year.	Hospital.	Refuge.
January.....	110	97	160	23	14	109	98
February.....	60	53	104	8	8	78	35
March.....	95	87	160	13	9	121	61
April.....	101	113	170	39	5	139	76
May.....	205	201	322	68	16	310	96
June.....	139	159	251	36	11	219	79
July.....	192	167	271	73	16	239	120
August.....	261	220	382	83	16	335	146
September.....	136	141	236	26	11	202	75
October.....	210	370	498	62	20	228	352
November.....	217	165	306	60	16	270	112
December.....	264	262	414	88	24	295	231
	1,990	2,035	3,274	588	163	2,545	1,480
Total.....	4,025		4,025			4,025	

Nativity of the admitted Persons.

Name of Country.	No.
Ireland	2,634
Germany	787
Russia	193
England	139
Switzerland	54
Sweden	28
Denmark	27
France	16
Scotland	15
Italy	6
Wales	4
Bohemia	3
Belgium	2
Holland	1
West Indies	2
United States	114
Total	4,025

Ports the admitted persons sailed from.

Name of port.	No.
Liverpool	2,759
Bremen	366
Hamburg	246
Havre	199
Kronstadt	193
London	79
Galway	28
Antwerp	18
Belfast	9
Tralee	3
Queenstown	2
Grand Cayman	2
Curacoa	2
Genoa	1
Rotterdam	1
Bermuda	1
Unknown	2
United States	114
Total	4,025

Year of arrival of the admitted persons.

Date.			
Arrived in the year	1858	.....	25
do do	1859	.....	127
do do	1860	.....	252
do do	1861	.....	233
do do	1862	.....	486
do do	1863	.....	2,788
Born in the United States	.....		114
Total			4,025

Number of daily discharges during the year 1863.

No. OF DAYS.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
1 .....	.....	.....	.....	11	2	24	6	5	19	11	.....	27	
2	9	18	16	4	3	12	15	.....	10	8	59	12	
3	1	8	9	2	.....	24	6	30	16	1	14	23	
4 .....	.....	6	8	3	23	10	4	8	6	.....	7	11	
5	9	4	9	.....	6	10	.....	18	1	18	17	4	
6	9	.....	1	17	5	8	21	10	.....	5	13	.....
7	11	3	8	12	2	.....	15	28	28	10	23	33	
8	3	.....	.....	9	7	36	6	9	23	8	.....	11	
9	5	6	16	3	4	24	6	.....	24	4	23	15	
10	6	6	3	11	.....	11	6	42	19	5	16	11	
11 .....	.....	10	3	4	36	11	5	12	6	.....	9	11	
12	10	5	3	.....	15	6	.....	14	9	21	16	8	
13	7	3	2	17	7	3	28	15	.....	11	14	.....
14	10	3	6	9	21	.....	7	12	20	24	3	54	
15	6	.....	.....	16	4	17	2	5	20	8	.....	9	
16	1	13	14	.....	4	6	8	.....	3	6	18	32	
17	2	7	10	4	.....	10	4	39	19	13	9	18	
18 .....	.....	1	8	2	18	7	8	22	2	.....	2	16	
19	23	5	2	.....	9	10	.....	18	5	47	13	10	
20 .....	.....	2	2	22	.....	5	25	8	.....	9	60	.....
21	8	6	6	10	17	.....	10	18	25	20	4	32	
22	4	.....	.....	9	18	24	3	2	14	28	.....	17	
23	9	19	15	9	2	19	12	.....	9	8	26	9	
24	4	8	10	1	.....	9	6	28	23	2	14	6	
25 .....	.....	2	5	6	10	14	1	11	5	.....	24	.....
26	15	9	10	.....	12	1	.....	7	2	32	14	2	
27	12	5	2	16	9	12	25	8	.....	4	16	.....
28	2	6	3	10	14	.....	16	16	29	9	14	10	
29	9	.....	.....	24	7	22	2	1	15	4	.....	16	
30	6	.....	26	7	2	17	8	.....	6	8	43	7	
31	8	.....	11	.....	.....	.....	12	39	.....	6	.....	7	
Total.....	179	155	207	238	255	352	265	420	357	330	471	405	3,634

Monthly Discharges.

Month.	Males.	Females.	Total.
January	76	103	179
February	77	78	155
March	111	96	207
April	117	121	238
May	117	138	255
June	180	172	352
July	146	119	265
August	184	236	420
September	155	202	357
October	179	151	330
November	261	210	471
December	203	202	405
Total	1,829	1,805	3,634

Table showing the weekly average number of patients during the year 1863.

Week ending	No. of Patients.
Jan. 3, a half week.....	336
10	685
17	688
24	684
31	689
Feb. 7	672
14	682
21	674
28	650
Mar. 7	634
14	663
21	661
28	648
April 4	633
11	604
18	618
25	615
May 2	614
9	618
16	597
23	647
30	734
June 6	686
13	656
20	673
27	680
July 4	669
11	673
18	687
25	722
Aug. 1	748
8	805
15	804
22	787
29	788
Sept. 5	774
12	714
19	702

Week ending	No. of Patients.
Sept. 26	689
Oct. 3	664
19	875
17	873
24	871
31	893
Nov. 7	823
14	817
21	775
28	829
Dec. 5	771
12	777
19	804
26	803
31 a half week	402
Total weekly average	<u>716</u>

Statement showing the cost of milk produced on Ward's Island for the year 1863.

Value of 16 cows on hand January 1st, 1863, at \$35.28	\$564 48
Purchased during the year 19 cows, at \$37.58	714 02
Consumed 92 bags meal, at \$2,	184 00
do 58 bags bran, at 70c.	40 60
do grains	33 02
	<u>\$1,536 12</u>
Deduct	1,106 60
	<u>\$429 52</u>
On hand January 1st, 1864, 13 cows, at \$37.38 each ..	\$488 54
1 bull	25 00
Hides and fat sold	80 34
Beef killed, 7,888 lbs. at 6½c.	512 72
	<u>\$1,106 60</u>

Cost of 34,634 quarts of milk, or 1 cent and 2 mills per quart.

Table showing the products of the farm attached to the institution at Ward's Island, and value of the same for the year 1863.

Asparagus, 280 lbs., at 13c.....	\$36 40
Beans, 18 bush., at \$2.50.....	45 00
Beans, Lima, 48 bush., at \$3.....	144 00
Beets, 200 bush, at 50c.....	100 00
Carrots, 263 bush., at 50c.	131 50
Corn, sweet, 100 bush. in ears, at 80c.	80 00
Corn, yellow, 540 bush. in ears, at 70c.....	378 00
Cucumbers, 4 bush., at 60c.....	2 40
Mangel wurzel, 275 bush, at 40c.....	110 00
Onions, 115 bush., at \$1.25.....	143 75
Parsnips, 210 bush., at 50c.	105 00
Peppers, 10 bush., at 80c.....	8 00
Potatoes, 2,000 bush., at 70c.....	1,400 00
Spinach, 50 bush., at 70c.....	35 00
Tomatoes, 70 bush., at 50c.....	35 00
Turnips, 829 bush., at 40c.	331 60
Cabbage, 17,434 heads, at 8c.....	1,394 72
Celery, 4,600 heads, at 5c.....	230 00
Lettuce, 600 heads, at 2c.	12 00
Pumpkins, 200, each 9c.....	18 00
Squash, 375, each 9c.....	33 75
Herbs	25 00
Oats, 110 bush., at 90c.	99 00
Rye, 120 bush., at \$1.50	180 00
Straw, 11 tons, at \$25	275 00
Hay, 35 tons, at \$25	875 00
Sedge and salt grass, 18 tons, at \$9.....	162 00
Corn stalks, 12 tons, at \$6.....	72 00
Beef, 7,888 lbs., at 6½c.	512 72
Pork, 3,813 lbs., at 7½c	285 97
Milk, 34,634 quarts, at 6c.....	2,078 04
Hides and fat.....	80 34
Manure.....	300 00
Total	\$9,719 19

TABLE

Showing the expenses incurred for infants born on Wards Island and the United States, from the 1st January to the 31st December, 1863.

	BIRTHS.		DAYS SPENT IN INSTITUTION.			EXPENSES FOR CLOTHING. \$2 92 each at average.	BURIALS.		EXPENSES. Of coffins \$0 50 each \$0 34 e'h
	Ward's Island.	United States.	Hospital.	Refuge.	Total.		Born on Ward's I	Born in U. S.	
Born previous to Jan. 1, 1863.....	109		3,300	8,541	11,841				
Born since January 1 to December 31, 1863,.....	231		7,464	1,416	8,880				
Admitted previous to January 1, 1863.....		63	2,322	5,349	7,662				
Admitted since January 1 to December 31, 1863.....		114	1,915	3,622	5,537				
Total.....	340	177	15,001	18,919	33,920	\$1,506 00	52	33	\$42 50
									\$28 30

List of children born on Ward's Island.

Females	118
Males	113
Total.....	231

Nativity of mothers delivered on Ward's Island.

Ireland.....	162
Germany	59
Switzerland	4
Scotland.....	2
Sweden	2
England.....	1
West Indies.....	1
Total.....	231

N. B.—Infants' support not included.

ANNUAL REPORT OF THE STATE EMIGRANT REFUGE AND HOSPITAL.

WARD'S ISLAND, *January, 1st, 1864.*

To the President and Board of Commissioners of Emigration :

GENTLEMEN: I hereby submit my Annual Report of the State Emigrant Hospital, for the year 1863:

There were treated, in Hospital, during the year, 3,713 patients; of these, 2,895 were discharged, 319 died; 499 remaining in Hospital on January 1st, 1864.

In the Refuge, or Dispensary Department, 2,300 cases were treated; 55 died, principally infants under one year old. Total treated in Refuge and Hospital, 6,013.

The percentage of mortality in Hospital was 8.56; in Refuge 2.30.

The percentage of deaths, on the aggregate number treated in Hospital and Refuge, was 6.21.

248 women gave birth to 255 children; 24 were stillborn, and there were 7 twin cases—118 females and 113 males. Total, 231 born alive.

123 insane patients were treated, 34 discharged well or improved, 11 transferred to Blackwell's Island, the time chargeable to your Commission being expired; 9 sent to other wards for treatment for other diseases, and 6 died from the following causes: Typhus 2, Dysentery 1, Pneumotyphus 1, Phthisis 1, and Epilepsy 1. Remaining now in the Asylum, 63.

With the large increase of patients this year, there was a more than proportionate increase of typhus and other kindred diseases, which could not be entirely prevented from extending to some of the inmates, but was confined principally to late arrivals and children in the nursery. Two of the nurses were stricken with typhus, of which one died. The year has fortunately passed without any epidemic, save those mentioned.

There were 829 cases of typhus and typhoid fever this year; 582 cured, 115 died, and 132 remaining now in Hospital.

The percentage of mortality in this class was 12.94. Most of these patients were direct from shipboard, and the spread of this malignant disease through the city must have been very materially controlled in consequence of the speedy removal of so large a number of cases to the well-ventilated and isolated hospitals of this Institution, so happily remote from the crowded streets of a large city.

Contagious fever, generally keeping pace with immigration, more hospital accommodation is required for the proper separation of the several types of disease admitted, many of the old buildings on the Island being now unfit for occupancy.

In the midwifery department, I attribute the happy results, and almost entire absence of epidemic (only one case of puerperal fever occurring,) to the isolated position of the several buildings, by which I am enabled to admit to one all contagious diseases, and to the others all healthy ones.

I am especially indebted to the superintendent, James P. Fagan, Esq., for the improvements he has introduced in the Insane Asylum, which have very materially tended to alleviate the condition of its inmates.

My assistant, Dr. Guleke, the Assistant Surgeon, Dr. Hartshorne, and the apothecary, Dr. Dwyer, continue to discharge their respective duties with skill and efficiency, and I again take pleasure in expressing my acknowledgments to them.

I have the honor to be, your obedient servant,

GEORGE FORD, M. D., *Physician-in-Chief.*

*Statistics of the State Emigrant Hospital for the year ending
December 31, 1863.*

	OVER 12 YEARS.		UNDER 12 YEARS.		Total.
	Females.	Males.	Females.	Males.	
Remaining December 31, 1862.....	177	135	36	31	379
Admitted since.....	1,372	1,247	207	277	3,103
Born since.....	....	....	118	113	231
Treated.....	1,549	1,382	361	421	3,713
Discharged since.....	1,236	1,051	278	330	2,895
Died since.....	106	126	43	50	319
Total.....	1,336	1,177	321	380	3,214
Remaining December 31, 1863.....	213	205	40	41	499

Of those who died, 226 were over 12 years old.
do do 57 were between 12 and 1.
do do 36 were under 1 year old.

Total, 319

Percentage of mortality on the cases treated, 8.59

do do do do discharged, 11.02

Average daily population of the hospital, 475

do do number of deaths, 0.87

Percentage of mortality on the daily population, 6.70

The beds changed occupants on an average every 46 days.

Number of cases treated in the Refuge department 2,300

Number of deaths in the Refuge department, 55

Percentage of mortality on the cases treated, 2.30

Total number treated in the whole Institution, .. 6,013

Total number of deaths in the whole Institution, 374

Percentage of mortality on the whole number, .. 5.21

Number of days spent in Hospital by the patients, 158,112

Nativities of Patients admitted.

Ireland	2,026
Germany	700
England	111
Scotland	20
France	14
Switzerland	51
Sweden	27
Denmark	21
Bohemia	3
Wales	4
Belgium	1
Italy	5
West Indies	1
United States	119

Total 3,103

Nativities of Patients who died.

Ireland	190
Germany	68
England	18
France	5

Switzerland	5
Sweden	4
Denmark	3
Wales	1
United States	85
Total	374

REPORT OF THE INSANE DEPARTMENT.

	Females.	Males.	Total.
Remaining at last report	45	21	66
Admitted during the year	33	24	57
Treated	78	45	123
Discharged well during the year	20	14	34
do to Blackwell's Island	7	4	11
do by transfer	5	4	9
Died	2	4	6
Total	34	26	60
Remaining December 31st, 1863	44	19	63

Diseases of the patients admitted

Abscessus axillæ	2
do mammæ	14
do pedis	1
do palmæ	11
Anthrax	2
Angina	7
Amputatio digiti	2
do manus	2
Adenitis	9
Ambustio	14
Amenorrhœa	7
Anæmia	8
Anchylosis	3
Abortio	2
Amaurosis	3
Anasarca	4
Asthma	6

Acnæ	2
Bursitis	8
Bronchitis	31
Congelatio	1
Caries femoris	2
do os calcis	2
Conjunctivitis	124
Crusta lactæ	1
Catarrhus	121
Cephalalgia	6
Coxalgia	5
Condylomata	9
Catalepsia	1
Cicatrix amputationis	2
Cholera infantum	1
Coup de soleil	1
Cardialgia	1
Chorea St. Viti	1
Diarrhœa	74
Dysenteria	39
Dementia	24
Dislocatio	5
Debilitas	131
Diphtheria	5
Dysoccoia	3
Dysmenorrhœa	1
Delirium tremens	8
Erysipelas	11
Emphysema	5
Entropion	3
Eczema	7
Epipimetritis	1
Enterohelcosis	4
Epilepsia	5
Fractura claviculæ	4
do femoris	3
do ulnæ	2
do pedis	4
do tibulæ	2
do radii	4
Febris typhus	520

Febris typhoid.....	309
do intermittens.....	56
Febris gastricus.....	18
do puerperalis.....	1
Favus.....	1
Fistula in ano.....	1
Furunculosis.....	4
Gonorrhœa.....	37
Gastritis.....	6
Hypertrophia cordis.....	1
Hydrops scarlatina.....	1
Hysteria.....	10
Hypochondria.....	6
Hæmorrhoides.....	7
Hernia inguinal.....	9
Hemiplegia.....	5
Ischias.....	4
Icterus.....	4
Iritis.....	18
Insomnitas.....	3
Inanitio.....	2
Injuria generalis.....	53
do pedis.....	14
do manus.....	8
do faciei.....	2
do cranii.....	2
Imbecilitas.....	5
Incontinentia urinæ.....	1
Intractabilitas.....	2
Leucorrhœa.....	5
Lumbago.....	8
Laryngitis.....	5
Lepra.....	1
Morbus cordis.....	13
do brightii.....	14
do spinalis.....	2
do coxæ.....	7
Meningitis.....	6
Monomania.....	4
Marasmus.....	12
Metritis.....	1

Necrosis	8
Neuralgia	10
Nostalgia	3
Onychia	4
Ophthalmia	50
Otorrhœa	2
Orchetis	7
Puerperium	218
Pneumonia	50
Pleuritis	8
Paraphymosis	7
Psoriasis	5
Pleuropneumonia	12
Post puerperium	52
Paronychia	19
Pertussis	2
Periostitis	12
Porrigo	8
Paralysis	7
Ptosia	1
Pyæmia	4
Pleurodynia	1
Pneumotypus	20
Pemphigus	5
Pannus	1
Parotitis	1
Phlebitis	2
Perforatio palati	1
Rheumatismus	76
Rubeola	45
Syphilis primaria	156
do secundaria	44
do tertiaria	7
Sequelæ typhoidæ	5
Scabies	65
Synovitis	14
Scarlatina	16
Senectus	5
Stricture urethræ	2
Strabismus	2
Scrofulosis	11

Spermatorrhœa	1
Tumor mammæ	1
Tuberculosis	20
Tinea capitis	6
Typhomania	7
Tonsilitis	4
Ulcera pedis	7
do cruris	86
Urethritis	1
Urticaria	3
Uræmia	1
Ulcera femoris	1
Vena varicosa	13
Vegetationes	2
Variola	1
Vaginitis	1
Total	<u>3,103</u>

Diseases of patients who died.

Alectasis pulmonary	1
Anthrax	1
Congestio cerebri	1
Cystitis strictura	1
Convulsiones	2
Cholera infantum	7
Cerebri molities	2
Diarrhœa chronica	10
Diphtheria	6
Dysenteria	18
Dysenteria chronica	8
Delirium tremens	5
Epilepsia	5
Erysipelas	4
Enterohelcosis	3
Febris typhus	40
do typhoidea	75
Hæmorrhagia	3
Hydrops cordis	1
do scarlatina	1
Hydrops	3

Inanitio	23
Icterus	1
Meningitis	2
Morbus brightii	8
do cordis	7
Marasmus	15
Nephritis	1
Peritonitis	1
Peritonitis puerperalis	1
Pneumonia	29
Pneumotyphus	9
Partus prematurus	5
Pyæmia	9
Purpura	2
Pleuropneumonia	4
Scarlatina maligna	10
Scleroma	1
Syphilis congenitalis	4
Tuberculosis	34
Typhomania	2
Typhopneumonia	2
Trismus nascentium	2
Uræmia	3
Vitium cerebri	1
Variola	1
Total	374

To the President and Board of Commissioners of Emigration:

Gentlemen—I have the honor to enclose herewith the annual report of the Surgical Department of the State Emigrants' Hospital, for the year ending the 31st December, 1863.

By this report it is shown that the whole number of cases treated was 1,132; the number of cases cured and discharged, 967; and the number of deaths 13, or about 1.14 per cent. on the whole number of cases treated.

During the past year the department remained free from the epidemics to which patients suffering from accidents or from surgical operations are often liable, such as erysipelas, hospital gangrene; etc.

In the ophthalmic wards purulent ophthalmia occasionally manifested itself, but was always speedily arrested.

A number of minor operations were required, but as compared with former years, few capital operations were performed, and these were all successful.

The Superintendent, Mr. Fagan, gave me his most thorough co-operation throughout the year, in the discipline and hygienics of the hospital.

Dr. Hartsborne, of the surgical staff, is entitled to great praise for his zealous and useful assistance.

Dr. Dwyer merits my thanks for the assistance he gave me when required, and especially for the careful and judicious manner in which he administered chloroform during the performance of my operations.

I would again allude with satisfaction to the small percentage of deaths in the department during the year, as presenting a statistic unequalled in any of the large hospitals of the country.

Very respectfully,

J. M. CARNOCHAN.

January 1st, 1864.

STATISTICS OF THE SURGICAL DEPARTMENT,
For the year ending December 31st, 1863.

In hospital January 1st, 1863	125	
Admitted since	930	
do by transfer from medical wards	62	
do by transfer from surgical wards	15	
Total treated	—	1,132
Discharged during the year	922	
do by transfer	45	
Died	13	
Total	—	980
Remaining in surgical department January 1st, 1864,		152
Percentage of mortality on cases treated	1.14	

General Surgery.

In hospital January 1st, 1863	57	
Admitted since	409	
do by transfer from medical wards	16	
do by transfer from surgical wards	5	
Treated	—	487

Discharged during the year.....	392	
do by transfer	24	
Died	6	
Total.....	—	422

Remaining January 1st, 1864		65
Percentage of mortality on cases treated.....	1.23	

Ophthalmia.

In hospital January 1st, 1863.....	27	
Admitted since	215	
do by transfer from medical wards.....	30	
do by transfer from medical wards	8	
Treated	—	280
Discharged during the year.....	225	
do by transfer to medical wards.....	4	
do by transfer to surgical wards.....	2	
Died	3	
Total.....	—	234

Remaining January 1st, 1864.....		46
Percentage of mortality on cases treated.....	1.07	

Syphilitic.

In hospital January 1st, 1863.....	41	
Admitted since	306	
do by transfer from medical wards	16	
do by transfer from surgical wards	2	
Treated	—	365
Discharged during the year.....	305	
do by transfer to medical wards	12	
do by transfer to surgical wards.....	3	
Died	4	
Total	—	324

Remaining January 1st, 1864.....		41
Percentage of mortality.....	1.95	

J. M. CARNOCHAN, Surgeon-in-Chief.

EMIGRANT LANDING DEPOT, CASTLE GARDEN.

CASTLE GARDEN, *January 18th, 1863.*

GULIAN C. VERPLANCK, Esq.,

President of Commissioners of Emigration:

Sir—Herewith I beg leave to present a report for the past year, of the operations of the landing depot, and of the business of the Castle Garden establishment.

As will be seen, the emigration shows a very large increase over recent years, and is more than double that of the years 1861 and '62 respectively. This fact, so desirable in itself, is the more gratifying, as it seems to demonstrate the confidence of the people of Europe in the stability of the free institutions of this country. The nation needs all the labor that can reach it, and should encourage and welcome it by wise and discreet measures for its protection and advancement.

The subject is now attracting the attention of the Congress of the United States, and a bill, I am informed, has been introduced there, having in view the formation of a system to encourage and increase the importation of labor to supply the exhaustion caused by the disasters of the battle field, and the necessities of the army. I am not aware of the details of the bill; but one properly framed would no doubt tend toward the accomplishment of this desirable object.

From the information already received, there is reason to believe that the emigration for the current will be largely in excess of that of the past year.

As an evidence of the continued confidence in the operation of the emigrant depot, on the part of the friends of the emigrants, and the emigrants themselves, the parties most benefited by its establishment and most interested in its continuance, I would state that the amount of moneys received at this office, and at the office of the Irish Emigrant Society during the year, to be applied to the forwarding of emigrants to various parts of the United States, etc., was \$68,104.53, against \$24,908.11 in the

previous year. Although this large amount does not exceed more than a tenth of the money actually spent by emigrants for their transportation during the year, yet, in my judgment, the high rates at present charged by the railroads running through certain western States has had a tendency to discourage travel and prevent, in some degree, emigration to those States, and consequently to States beyond them. I regret to learn that these railroads are now agitating the question of an increase in their present high rates for emigrant fares. Should this agitation result in an advance, it would be a matter much to be regretted, because communications are being now daily received from farmers and others residing in those States, complaining of the scarcity of labor, and alleging, if their necessities and requirements are not filled, that at least one-half of the land under cultivation last year will go untilled this season.

As a question of political economy, it probably concerns the western States more than this department; but for the benefit of the emigrant, I deemed it proper to call the attention of the Board to the subject.

The plan of enabling families to reach their intended destination after arrival, by advances on luggage, was continued during the past year; but the applications were less numerous than in the preceding year, although the emigration was, as before stated, more than in that year.

In the month of November, 1863, the ship "Cynosure," sailing under the British flag, arrived at this port from Liverpool, after a passage of forty-two days.

She left Liverpool with 565 passengers, of whom there died, during the voyage and after arrival at quarantine, from ship fever and small-pox; 23; and on arrival, 13 cases of small-pox and 71 of typhus fever and suffering from exhaustion and debility, were transferred to the respective hospitals. An examination into the treatment of the passengers having shown that the regulations required for protecting the passengers had not been adhered to, the necessary steps were taken against the vessel by demanding special bonds for all the passengers, thus compelling the consignees to assume all the expenses incurred and to be incurred.

This is the only serious case of mistreatment of emigrants which came to my knowledge during the past year.

In addition to the usual tables heretofore submitted to the board with my report, I have appended one showing the numbers of passengers brought by the several lines of steamers coming from European ports. The number of passengers brought by steam vessels has increased from about 5,000 in 1856 to over 70,000 in 1863, thus showing that emigrants are each year appreciating the superior advantages of steam, not only as regards health and the saving of time, as well as safety, but demonstrating the fact that since the application of steam to their transportation, the emigrants are of a more comfortable and well-to-do class than in the former years of the commission, as the price of passage in steamers is nearly double that in sailing vessels. Among the various lines, I would refer to the "Dale" or "Inman" line, sailing from Liverpool and Queenstown, which, with its fleet of eleven steamers, transported to this port over 30,000 emigrant passengers, nearly one-half of the whole number brought by the combined steamship lines from Europe. The excellent management of this line is evidenced not only in its popularity, requiring as it does, in addition to its regular weekly line, a semi-monthly one,—but also in its remarkable immunity from danger or disaster, its vessels having made, during the year, 72 trips, landing at this port more than 33,000 passengers without an accident. This may, in a great degree, be attributed to the experience and ability of the officers in command, as also the ships composing this line, which are staunch sea-going vessels, some of which have surpassed in rapid voyages all ocean steamers propelled by the screw, and nearly equalled the fastest of the side-wheel steamers traversing the Atlantic.

Respectfully submitted,

BERNARD CASSERLY,

General Agent.

A.

Number and destination of Passengers during the year 1863.

	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
Alabama.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	1
Australia.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
British Columbia.....	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	8
Canada.....	70	37	93	275	487	423	481	376	239	336	88	184	3,089
California.....	49	38	21	93	120	105	106	108	136	154	88	71	1,149
Connecticut.....	69	19	96	376	618	404	384	553	173	879	268	149	3,339
Central America.....	.....	.....	.....	3	.....	2	.....	.....	.....	.....	.....	.....	5
Ouba.....	.....	.....	.....	.....	7	1	5	4	3	5	4	.....	20
Delaware.....	2	5	1	17	9	23	5	6	10	25	6	1	110
District of Columbia.....	28	11	32	95	134	165	161	62	82	97	107	80	1,054
Florida.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1
Georgia.....	.....	.....	.....	.....	.....	.....	1	2	.....	.....	.....	.....	4
Illinois.....	153	60	89	613	1,147	1,114	1,092	825	550	1,196	1,187	409	8,435
Iowa.....	23	9	34	82	207	126	138	91	84	121	83	96	1,094
Indiana.....	27	10	37	80	196	176	148	129	69	175	193	117	1,357
Kentucky.....	6	8	21	32	62	49	57	81	46	104	64	53	593
Kansas.....	.....	.....	9	8	5	12	52	2	15	6	11	2	122
Louisiana.....	18	4	3	29	44	8	5	22	28	29	21	19	240
Massachusetts.....	144	114	446	1,354	1,998	1,696	1,499	1,120	697	1,197	650	819	11,734
Maryland.....	36	26	41	61	103	117	123	70	99	146	96	94	1,012
Missine.....	3	.....	2	22	25	80	41	83	45	61	13	18	340
Michigan.....	35	14	27	114	495	458	339	364	498	346	310	62	3,662
Minnesota.....	14	.....	17	233	160	253	164	237	91	141	61	62	1,433
Mexico.....	.....	.....	2	4	.....	.....	.....	.....	2	10	.....	.....	18
Missouri.....	57	35	41	107	180	238	217	157	238	460	302	164	2,188
New Hampshire.....	7	3	.....	8	17	26	6	11	8	18	3	3	110
New York.....	1,943	1,180	3,123	10,213	13,566	12,466	10,334	6,073	6,000	8,031	5,592	5,584	84,105
New Jersey.....	71	42	119	451	445	495	461	381	206	466	365	242	3,744
Nova Scotia.....	1	1	2	10	2	.....	12	14	1	.....	8	5	65

A.—Continued.

	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
Nebraska .....	.....	.....	.....	.....	.....	48	.....	1	5	26	9	.....	89
New Brunswick .....	.....	.....	.....	3	9	27	.....	6	21	13	.....	20	99
Ohio	106	58	163	535	857	738	669	591	597	1,047	701	512	6,574
Oregon .....	.....	.....	320	.....	.....	2	.....	.....	.....	.....	.....	.....	2
Pennsylvania	341	202	320	1,414	2,574	1,824	1,718	1,215	862	1,970	1,535	1,400	15,395
Rhode Island	25	19	62	177	273	227	177	167	116	161	139	153	1,696
South America .....	.....	.....	2	.....	4	4	4	1	3	10	.....	.....	28
Tennessee	1	1	9	11	14	7	13	22	18	44	27	13	199
Texas .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	.....	6
Utah .....	.....	.....	.....	.....	.....	778	683	2,092	.....	3	.....	.....	3,561
Virginia .....	.....	.....	3	15	46	11	19	24	12	26	25	6	187
Vermont	3	6	7	35	43	43	31	20	15	29	46	19	297
Wisconsin	95	38	50	208	1,096	625	833	312	396	662	518	242	5,075
Total	3325	1,940	4,872	16,691	24,946	22,871	19,984	14,962	11,384	17,512	12,521	10,595	161,648

B.

Showing the ports whence emigrant vessels have arrived, together with the nationality and number of vessels, and number of emigrant passengers and others from each port, landed at Castle Garden during the year 1863.

PORT WHENCE SAILED.	NATION.	Number of vessels.	Number of bondable passengers.	Number of passengers returning to U. States.	Total passengers.
Liverpool, England.....	Great Britain.	297	111,815	4,746	116,561
London, England.....	do	52	4,050	491	4,541
Glasgow, Scotland.....	do	7	162	37	199
Galway, Ireland.....	do	5	2,549	59	2,608
Londonderry, Ireland.....	do	5	561	52	613
Belfast, Ireland.....	do	1	139	2	141
Cardiff, South Wales.....	do	1	12	1	13
Algoa Bay, Africa.....	do	2	44	2	46
Havre	France.....	26	4,540	173	4,713
Rotterdam	Holland.....	4	89	1	90
Bremen	Bremen.....	67	14,884	404	15,288
Hamburg	Hamburg	56	14,428	204	14,632
Antwerp	Belgium	15	1,942	63	2,005
Gotthenberg.....	Sweden	1	27	.....	27
Porsgrund.....	Norway.....	1	73	.....	73
Genoa, Italy	Sardinia	4	91	7	98
		544	*155,406	6,242	161,648

*The whole number of alien passengers subject to bonds or commutation landed at this port during the year, does not appear here, for the reason that first class passengers are not required to land at the emigrant landing depot. The number for whom bonds were executed or commutation paid, will be found on the first page of the appendix.

C.

Showing the relative proportion of sailing and steam vessels bringing passengers which were landed at Castle Garden, during the year 1863.

1863	SAILING VES- SELS.		STEAM VES- SELS.		TOTAL.		STEAMERS UNDER FLAG OF					
	Vessels.	Passengers.	Steamers.	Passengers.	VESSELS.	PASSENGERS.	United States.	Great Britain.	Bremen.	Hamburg.	Belgium.	France.
January	31	2,145	10	1,181	41	3,326	....	6	1	3	....	....
February	12	846	7	1,094	19	1,940	....	4	1	2	....	....
March	19	2,604	8	2,268	27	4,872	....	5	1	2	....	....
April	38	11,723	15	4,968	53	16,691	....	10	3	2	....	....
May	46	18,596	12	6,350	58	24,946	....	9	1	2	....	....
June	39	14,223	18	8,668	57	22,891	....	14	2	2	....	....
July	35	13,179	16	6,805	51	19,984	....	11	2	3	....	....
August	37	9,238	15	5,744	52	14,982	....	11	2	2	....	....
September	29	4,464	17	6,920	46	11,384	....	12	3	2	....	....
October	41	9,370	18	8,142	59	17,512	....	14	2	2	....	....
November	26	6,401	13	6,120	39	12,521	....	9	2	2	....	....
December	18	4,928	21	5,671	39	10,599	....	17	1	3	....	....
Total	371	97,717	170	63,931	541	161,648	....	122	21	27	....	....
Total, 1862..	370	55,615	100	25,843	470	81,458	....	57	16	26	1	....
Total, 1861..	358	47,201	95	21,110	453	68,311	....	60	12	22	1	....
Total, 1860..	373	74,435	109	34,247	482	108,682	6	72	10	21	....	....
Total, 1859..	332	61,384	105	24,218	437	85,602	13	58	15	19	....	....
Total, 1858..	367	67,837	84	16,389	451	84,226	14	47	6	17	....	....
Total, 1857..	588	164,650	69	20,236	657	185,186	3	48	1	10	7	....
Total, 1856..	552	126,459	22	5,111	574	131,570	....	12	....	7	2	....

D.

Showing the quantity of baggage landed at Castle Garden with passengers, and stored until required by the owners, together with the quantity delivered during the year 1863.

Name of month.	Number of pieces Received.	Number of pieces Delivered.
January	2,421	2,490
February	1,574	1,560
March	3,535	3,530
April	8,552	8,500
May	13,659	13,600
June	13,763	13,760
July	12,731	12,700
August	10,216	10,200
September	8,508	8,500
October	10,504	10,520
November	8,363	8,300
December	7,600	7,400
Total	101,426	101,060

Showing the number of families relieved by advances made on a pledge of baggage, without charge for storage or interest on the amount advanced, and the amount of such relief, together with the payments made on redemption during the year 1863.

YEARS.		No. of ad- vances.	Amount ad- vanced.	YEARS.		No. of re- dempt'ns.	Amount repaid.
Advances during 1856.....	1856.....	210	\$2,097 25	1857 Jan. 1.—Redeemed in 1856.....	1856.....	168	\$1,456 25
do 1857.....	1857.....	788	8,723 75	do do in 1857.....	1857.....	606	6,414 50
do 1858.....	1858.....	425	4,873 90	do do of 1856, during 1857.....	1857.....	31	350 50
do 1859.....	1859.....	239	2,345 00	do do in 1858.....	1858.....	346	2,759 00
do 1860.....	1860.....	173	1,756 00	do do of 1856, during 1858.....	1858.....	1	10 00
do 1861.....	1861.....	309	1,299 00	do do of 1857, during 1859.....	1859.....	119	1,523 50
do 1862.....	1862.....	165	847 00	do do in 1859.....	1859.....	231	2,031 50
do 1863.....	1863.....	103	681 00	do do of 1857, during 1859.....	1859.....	8	150 00
				do do of 1858.....	1858.....	50	694 00
				do do in 1860.....	1860.....	168	1,658 00
				do do of 1858, during 1860.....	1860.....	1	36 00
				do do of 1859.....	1859.....	5	170 00
				do do in 1861.....	1861.....	201	1,267 00
				do do of 1859, during 1861.....	1861.....	14	57 50
				do do of 1860, during 1861.....	1861.....	5	97 50
				do do of 1861, during 1862.....	1862.....	8	32 00
				do do of 1862, during 1862.....	1862.....	146	734 00
				do do of 1862.....	1862.....	19	113 00
				do do of 1863.....	1863.....	101	656 00
				do do of 1856, '57, '58, '59, '63, etc., etc.....	1863.....	174	1,411 75
				Balance of 1856, '57, '58, '59, '63, etc., etc.....			
Total.....		2,312	\$22,622 00			2,312	22,622 00
1864.—Jan. 1. Unpaid balance of 1856.....	1856.....	20	\$280 50				
do do 1857.....	1857.....	55	635 75				
do do 1858.....	1858.....	28	885 00				
do do 1859.....	1859.....	9	85 50				
do do 1863.....	1863.....	2	25 00				
Total.....		114	\$1,411 75				

F.

Statement showing the amount of Moneys received, disbursed, returned, and remaining on hand, with which to forward recently arrived Emigrants to their friends or relatives, to whom application was made for funds, and from whom such moneys were received for that purpose, from January 1st, to and including December 31st, 1863.

Amount received in

January	\$1,227 50	for 121 adults and 26 children.		
February	468 23	61	do	13 do
March	1,555 92	176	do	17 do
April	4,490 69	556	do	82 do
May	6,223 44	952	do	94 do
June	5,656 00	877	do	75 do
July	5,112 46	640	do	61 do
August	4,707 03	609	do	63 do
September	3,830 80	457	do	63 do
October	5,148 85	637	do	103 do
November	4,458 19	477	do	134 do
December	3,260 80	382	do	71 do
	<hr/>	<hr/>		<hr/>
	\$46,147 91	5,945		802
	<hr/>	<hr/>		<hr/>

RECAPITULATION.

Am't received	\$46,147 91
do paid for forwarding	\$40,969 85
do returned to senders	3,202 29
do on hand, cash	\$1,584 80
do on hand, drafts	390 97
	<hr/>
	1,975 77
	<hr/>
	\$46,147 91
	<hr/>

Amount on hand January 1st, 1863

\$588 15

do paid for forwarding	\$233 15
do returned to senders	102 50
do on hand, cash	\$138 65
do do drafts	113 85
	<hr/>
	\$252 50
	<hr/>

\$588 15

Total amount of remittances in cash and drafts on hand January 1st, 1864

\$2,228 27

Of the whole number (2,196) letters written to friends of emigrants, advising of their arrival and asking for funds, 128 were returned from the Dead Letter Office, Washington, the parties to whom they were addressed having changed their residences, or died, or enlisted in the army and gone off.

ABSTRACT

Statement of county bills for the support of emigrants, during the year 1863.

	Number tempora- rily relieved.	No. chargeable in poor-house.	Total number of persons.	Number of weeks.	Temporary relief.	Board.	Medical attend- ances.	Transportation.	Burial expenses.	Amount of bill rendered.	Amount of bill allowed.	Irish.	Germans.	Other countries.
Albany.....	123	41	164	553 1.7	\$313 87	\$729 13	.....	.....	\$4 00	\$1,166 34	\$1,047 00	124	16	24
Broome.....	1	4	5	81 3.7	.....	81 30	\$31 83	\$5 15	.....	237 32	118 28	5	.....	.....
Chautauqua.....	3,901	2	3,903	15	2,215 48	22 01	300 28	.....	5 10	2,663 43	2,542 87	2,824	422	657
Dutchess.....	.....	9	9	272 4.7	10 00	340 95	.....	.....	5 00	446 17	255 95	8	1	.....
Erie.....	.....	12	12	273	.....	409 25	.....	.....	.....	695 89	409 25	5	2	5
Herkimer.....	.....	1	1	8	.....	14 99	.....	.....	.....	15 49	14 99	1	.....	.....
Kings.....	8	66	74	519 6.7	14 47	1,112 38	.....	.....	.....	1,478 09	1,126 85	47	19	8
Munroe.....	19	1	20	4 3.7	18 78	9 69	.....	.....	.....	28 97	28 47	4	16	.....
Montgomery.....	.....	1	1	30 2.7	5 56	90 82	.....	.....	.....	96 38	96 38	1	.....	.....
Oneida.....	25	6	31	113 6.7	208 38	336 59	.....	58	7 25	596 37	552 80	16	3	12
Onondaga.....	.....	12	21	180	38 30	268 83	.....	15 12	16 50	423 72	338 75	19	1	1
Oswego.....	.....	1	1	29 1.7	.....	51 00	.....	.....	.....	57 44	51 00	1	.....	.....
Queens.....	8	69	77	575	25 16	719 42	36 80	.....	.....	913 17	781 38	25	52	.....
Rensselaer.....	.....	13	13	283 2.7	.....	455 10	.....	.....	.....	528 52	455 10	13	.....	.....
Rockland.....	4	38	42	434 1.7	8 00	543 13	.....	.....	.....	590 99	551 13	41	.....	1
Richmond.....	.....	6	6	134 4.7	.....	201 79	.....	.....	.....	201 79	201 79	5	.....	1
Saratoga.....	.....	1	1	21	.....	21 00	.....	75	.....	31 26	21 75	1	.....	.....
Schenectady.....	.....	9	9	103 2.7	.....	103 10	.....	1 50	.....	104 60	104 60	9	.....	.....
Ulster.....	1	.....	1	.....	264 28	.....	.....	.....	.....	274 28	264 28	.....	.....	1
Wayne.....	.....	3	3	112 2.2	.....	157 80	.....	.....	.....	157 80	157 80	.....	3	.....
Westchester.....	.....	14	14	208 1.7	.....	285 64	.....	23 50	.....	346 24	309 14	12	.....	2
Warren.....	.....	1	1	10 2.7	.....	20 56	.....	.....	.....	20 56	20 56	1	.....	.....
Amount to counties.....	4,099	310	4,409	3,962 6.7	\$3,123 28	\$5,974 48	\$368 91	\$46 60	\$37 85	\$11,074 82	\$9,550 12	\$3,162	535	712

ABSTRACT—Continued.

	Number tempo- rily relieved.	No. chargeable in poor-house.	Total number of persons.	Number of weeks.	Temporary relief.	Board.	Medical attend- ances.	Transportation.	Burial expenses.	Amount of bill rendered.	Amount of bill allowed.	Irish.	German.	Other countries.
.....	70	70	70	411 1.7	.....	\$1,101 16	.....	.....	\$23 00	\$1,332 29	\$1,184 16	50	6	5
.....	10	10	10	190 5.7	.....	381 24	.....	.....	.....	407 22	381 24	8	2	.....
.....	3	3	3	109 4.7	.....	221 03	.....	.....	.....	244 73	221 03	2	1	.....
.....	35	35	35	508	.....	1,017 25	.....	.....	.....	1,140 01	1,017 25	35	.....	.....
.....	5	5	5	199 4.7	.....	300 35	.....	.....	.....	304 80	300 35	5	.....	.....
.....	55	55	55	562 4.7	.....	1,125 01	.....	.....	20 00	1,257 62	1,145 01	49	3	3
.....	7	7	7	310 1.7	.....	309 92	.....	.....	.....	317 16	309 92	7	.....	.....
Amount to institutions.....	185	185	185	3,491 5.7	.....	\$4,415 96	.....	.....	\$43 00	\$4,903 92	\$4,458 96	185	12	8
Total amount.....	495	495	4,504	6,454 4.7	\$3,122 28	\$10,390 44	\$368 11	\$45 60	\$20 85	\$16,978 74	\$14,009 08	3,327	547	729

Names of steamers and number of passengers arrived at the port of New York from European ports during 1863.

NAME OF STEAMER.	No. of trips.	First cabin.	Second cabin.	Steorage.	Total.
DALE OR INMAN LINE.					
Steamship City of New York.....	8	426	....	4,552	4,978
Steamship City of Baltimore.....	8	415	23	4,041	4,479
Steamship City of Washington.....	8	301	25	3,974	4,300
Steamship Edinburgh.....	7	115	25	3,538	3,678
Steamship City of Manchester.....	7	163	....	2,665	2,828
Steamship Glasgow.....	6	177	....	2,354	2,531
Steamship Etna.....	6	307	....	2,212	2,519
Steamship City of London.....	4	165	....	2,233	2,398
Steamship City of Cork.....	7	94	....	2,153	2,247
Steamship Kangaroo.....	6	1	21	2,009	2,031
Steamship City of Limerick.....	5	28	....	1,481	1,504
Total.....	72	2,187	94	31,212	33,498
CUNARD LINE.					
Steamship Scotia.....	5	971	....	.....	971
Steamship Persia.....	6	823	....	.....	823
Steamship China.....	5	489	....	.....	489
Steamship Australasian.....	4	268	....	.....	268
Steamship Asia.....	3	151	....	.....	151
Steamship Africa.....	2	98	....	.....	98
Steamship Damascus.....	1	66	....	.....	66
CUNARD (SCREW) LINE.					
Steamship Olympus.....	5	.....	....	2,386	2,386
Steamship Sidon.....	5	16	....	2,331	2,347
Steamship Hecla.....	4	27	....	2,098	2,125
Steamship Kedar.....	1	.....	....	349	349
Total.....	41	2,911	....	7,164	10,075
BREMEN LINE.					
Steamship Hansa.....	5	177	472	1,541	2,190
Steamship Bremen.....	5	197	261	1,063	1,521
Steamship America.....	4	100	279	1,113	1,492
Steamship New York.....	5	134	334	987	1,455
Total.....	19	608	1,346	4,704	6,658
HAMBURG LINE.					
Steamship Teutonia.....	6	163	272	1,763	2,198
Steamship Hammonia.....	6	208	200	1,472	1,880
Steamship Saxonia.....	5	96	384	1,391	1,871
Steamship Germania.....	2	195	219	994	1,408
Steamship Bavaria.....	5	121	240	934	1,295
Steamship Borussia.....	3	137	137	814	1,088
Total.....	27	920	1,452	7,368	9,740
WILLIAMS & GUION'S LINE.					
Steamship Louisiana.....	5	64	....	2,161	2,225
Steamship Virginia.....	3	92	....	1,955	2,047
Steamship Georgia.....	1	.....	....	547	547
Steamship Mersey.....	1	.....	....	423	423
Total.....	10	156	....	5,086	5,242
GRINNELL & MINTURN'S LINE.					
Steamship Melbourne.....	1	.....	....	509	509
Total.....	1	.....	....	509	509

Names of steamers, &c.—Continued.

NAME OF STEAMER.	No. of trips.	First cabin.	Second cabin.	Steerage.	Total.
GLASGOW (ANCHOR) LINE.					
Steamship Britannia	1	10	....	107	117
Steamship St. Andrew	3	.....	....	52	52
Steamship St. George	3	.....	....	37	37
Steamship United Kingdom	1	.....	....	14	14
Total	8	10	....	210	220
GREAT EASTERN STEAMSHIP LINE.					
Steamship Great Eastern	3	1,036	....	2,310	3,346
Total	3	1,036	....	2,310	3,346
LONDON AND HAVRE LINE.					
Steamship Cella	3	41	22	123	191
Steamship Bellona	1	9	....	46	55
Total	4	50	22	174	246
GALWAY LINE.					
Steamship Adriatic	2	64	....	1,375	1,439
Steamship Columbia	2	.....	....	1,160	1,160
Steamship Shannon	2	39	....	627	666
Total	6	103	....	3,162	3,265

Recapitulation.

NAME OF STEAMSHIP LINE.	No. of trips.	First cabin.	Second cabin.	Steerage.	Total.
Per Dale or Inman Line	72	2,187	94	31,212	33,493
Per Cunard (both) do	41	2,911	....	7,164	10,075
Per Hamburg do	27	920	1,452	7,368	9,740
Per Bremen do	19	608	1,346	4,704	6,658
Per National do	10	156	....	5,086	5,242
Per Great Eastern do	3	1,036	....	2,310	3,346
Per Galway do	6	103	....	3,162	3,265
Per Melbourne (transient) Line	1	.....	....	509	509
Per London and Havre Line	4	50	22	174	246
Per Anchor (Glasgow) Line	8	10	....	210	220
Total	191	7,981	2,914	61,899	72,794

ANNUAL REPORTS OF THE AGENTS OF THE COMMISSIONERS OF EMIGRATION IN THE CITIES OF ALBANY, BUFFALO AND ROCHESTER, FOR THE YEAR ENDING DECEMBER 31, 1863.

OFFICE OF THE AGENT OF COMMISS'RS OF EMIGRATION, }
ALBANY, January 25, 1864. }

To the Commissioners of Emigration, New York:

Gentlemen—I herewith present my annual report of the business done at this office during the year ending December 31, 1863, and respectfully refer you to my monthly abstracts, furnished the General Agent, for explanatory details.

The whole number of emigrants to whom services have been rendered, is..... 1,117

viz.:

Provided with employment, males	367	
do do females.....	283	
	—	650
Supplied with lodging and temporary board.....	79	
Temporary relief to seventy-seven families, persons	324	
Forwarded to destination.....	20	
Interments	1	
Sent to Alms House	43	
	—	1,117

Moneys Received.

From friends of recently arrived emigrants, in reply to letters written from this office..... \$289 30

Reimbursements.

For two weeks' care of a female emigrant in the Insane Asylum at the Alms House.....	\$4 00
For storage	8 00
	—
	\$12 00

Expenses Incurred.

(Exclusive of Office and Alms House Expenses.)

For food furnished transient lodgers at office..	\$20 76
one and one-third ton of coal.....	11 33

For one interment	\$5 00	
expenses of City Hospital.....	9 65	
tea and coffee	7 25	
lawyer's fees	5 00	
four passages to New York.....	3 00	
		<hr/> \$61 99

For temporary relief furnished by Overseer of Poor on my orders, to seventy-seven families (324 persons), including the forwarding of six to New York, one to Schenectady, one to Rochester, one to Chicago; and for one interment \$176 97

In justice to the present Overseer of Poor, Mr. Nolan, I wish to state that he has afforded us every facility required in the exercise of our duties as connected with his office; and within the past year, he has been instrumental in preventing two emigrants of recent arrival (mother and child) from becoming, in all likelihood, a permanent charge to the commission.

Office Expenses.

Salaries and wages.....	\$1,246 00	
Office rent, one year.....	200 00	
Coal (3½ tons).....	24 50	
Groceries and burning fluid.....	5 71	
Newspaper and advertising.....	16 25	
Stationery	10 18	
Expenses to Troy sundry times on official business	4 25	
Carting baggage and removing ashes,....	7 50	
City Directory \$1.50, charcoal \$2.75....	4 25	
Milk bill and straw for beds.....	5 75	
Express, postage and telegraph.....	16 75	
		<hr/> \$1,541 14

Number of emigrants in Alms House, Jan. 1, 1863	8
Number admitted through this office during the year	43

Whole number chargeable to the commission...	51
Number remaining in Alms House, Jan. 1, 1864.....	17

Money in various sums, amounting to \$64.75, has been furnished to eight emigrant families without charge of any kind, to

enable them to reach their several destinations in the interior, which they could not have done without such accommodation. In all cases these loans have been faithfully paid, and all baggage left as collateral security has been forwarded and received by the owners.

Respectfully submitted,

DAVID NELIGAN, *Agent.*

BUFFALO, January 9th, 1864.

To the Hon. G. C. Verplanck, President of the Board of Commissioners of Emigration:

Sir—Herewith please find my report of emigrants chargeable in this city, and who were relieved, forwarded, and for whom employment was found, during the past year.

Number of persons boarded and lodged	1,869
Males	801
Females	1,068
Number of persons found employment for	861
Males	673
Females	188
Number of persons forwarded to destination	211
Males	176
Females	35
Number of pairs of shoes furnished	25
do coffins furnished	12
Whole amount of expenses incurred	\$1,194 44
do do salaries and wages	1,296 00
Total	<u>\$2,490 44</u>

Amount of money received from friends of emigrants in response to letters from this office	\$237 50
Number of letters written for emigrants to their friends	391
Number paid for by emigrants	194
do do Comm'rs of Emigration	197

Provisions, &c., and cost thereof, purchased for boarding house.

20 cords of wood	\$123 00
2,775 pounds of flour	111 00
1,850 loaves of bread	95 03

1,055½ pounds of beef	\$59 39	
406 pounds of sugar	51 72	
33½ pounds of tea	42 38	
12 bushels of beans	32 50	
50 bushels of potatoes	31 30	
465 pounds of codfish	30 25	
111 pounds of butter	27 05	
1,000 pounds of corn meal	20 00	
35 gallons of molasses	18 06	
187 pounds of rice	17 06	
60 pounds of coffee	16 81	
408 quarts of milk	17 00	
260 pounds of soap	14 55	
68 pounds of candles	8 50	
113 pounds of dried apples	7 12	
60 pounds of pork	4 80	
53 pounds of barley	4 24	
87 pounds of lard	3 70	
23½ pounds of crackers	1 88	
Brushes, basket, blue, mustard, pail, matches, pepper, salt, etc	7 02	
		\$744 36
Rent of office	144 00	
Cost of sending passengers away	38 10	
coffins	72 00	
shoes	49 00	
stationery	21 88	
stove	20 00	
carriage hire	12 00	
postage stamps and rent of drawer	9 91	
paper hanging	3 49	
sundries	34 70	
		450 08
		\$1,194 44
The 2,941 persons provided for, eat, on an average, 11 meals, which, allowing one shilling per meal, would be		\$2,018 87
For 10,783 nights' lodging for same persons, at one shilling each, would be		1,347 88
		\$4,266 75
Equal to a saving of		3,072 31

A Table showing the Nativity of the persons relieved, and the destination of those sent away.

Destination of persons forwarded.	No. of persons.
Chicago, Ill.	70
Green Bay, Wis.	51
Erie, Pa.	34
State line, N. Y. and Pa.	30
Atlantic and Great Western R. R.	7
Cleveland, Ohio	6
New York	3
Beaver Island, Mich.	2
Detroit, Mich.	2
Marion, Ohio	2
Cincinnati, Ohio	1
Toledo, Ohio	1
Fond-du-lac, Wis.	1
Cayuga, C. W.	1
(Majority sent away on free passes.)	—
Total	211

Nativity of persons relieved.	No. of persons.
Ireland	1,173
Germany	1,026
England and Wales	241
Scotland	128
Switzerland	96
Holland	71
Belgium	61
France	48
Sweden	36
Denmark	25
Italy	18
Poland	11
Spain	5
Prussia	1
Russia	1
Total	2,941

On account of the great demand for labor in Pennsylvania, Green Bay, and beyond Chicago, I had an excellent opportunity

of finding employment for male emigrants during the past two years. I procured a number of free passes for them to the different railroads building out west.

Respectfully submitted,

P. SHORT, *Agent*.

ROCHESTER, January 1, 1864.

To the Board of Commissioners of Emigration, New York:

Gentlemen—Herewith please find report of parties receiving relief in this city during the year 1863, as chargeable to the Commissioners of Emigration:

Whole number receiving relief	268
do for whom employment was found	97
Number of parties sent to Almshouse	7
do do do Insane Asylum	1
do do do the Hospital (St. Mary's)	82
do do discharged therefrom (recovering)	75
Of that number, employment was found for	23
Whole number of families receiving help during the year (amongst whom there was more or less sickness), averaging 4 each family	25

Expenses Incurred.

(Exclusive of Almshouse, Hospital, out-door relief, and office expenses.)

For lodging	\$2 13
bread bill	11 58
	<u>\$13 71</u>

All of which is respectfully submitted.

S. W. UPDIKE, *Agent*.

State of New York.

No. 66.

IN SENATE,

March 11, 1864.

GENERAL ORDERS.

241. An act to provide for furnishing water for the summit of the Genesee Valley canal, and for rebuilding five locks on the same.
242. An act to amend an act entitled "An act to amend an act 'to incorporate the Port Richmond and Bergen Point Ferry Company,'" passed April 11, 1860.
243. An act relating to devises and bequests to societies and corporations.
244. An act relating to the cemetery in Brooklyn of the Cannon street Baptist church of the city of New York.
245. An act concerning the Alfred Rural Cemetery Association of Alfred, Allegany county.
246. An act relating to the cemetery grounds of the village of Fort Plain.
247. An act for the improvement of Grand street in the city of Brooklyn.
248. An act to incorporate the National Savings Bank of the city of New York.
249. An act to authorize banks, banking associations, corporations or individuals, incorporated by or under the laws of the State of New York, to become banking associations under the laws of the United States.

State of New York.

No. 67.

IN SENATE,

March 12, 1864.

COMMUNICATION

FROM THE GOVERNOR, TRANSMITTING REPORT OF THE
INSPECTOR GENERAL RELATIVE TO THE PAYMENT OF
ACCOUNTS FOR PREPARING ALPHABETICAL LISTS OF
VOLUNTEERS.

STATE OF NEW YORK:

EXECUTIVE DEPARTMENT, }
ALBANY, *March 12, 1864.* }

To the Senate :

I transmit herewith a communication from the Inspector General of the State, relative to the payment of accounts for preparing alphabetical lists of volunteers, pursuant to General Orders No. 79, issued from the Adjutant General's office, in October, 1862.

HORATIO SEYMOUR.

INSPECTOR GENERAL'S OFFICE, }
ALBANY, *March 12, 1864.* }

To his Excellency HORATIO SEYMOUR,
Governor and Commander-in-Chief :

I would respectfully call your attention to the payment of the accounts of certain parties appointed to prepare alphabetical lists of the names of all persons who had enlisted from each town in this State, from the 2d day of July to the 1st day of November, 1862, in connection with the enrolment of the militia, preparatory to a draft to complete the quota of 120,000 men, apportioned to this State by the General Government, and under the following section of General Orders No. 79, of the Adjutant General's office, of October 14, 1862 :

[Senate, No. 67.]

“ § 8. General Orders No. 79. That due credit may be given to each county and town for volunteers furnished since July 2d, 1862, district committees throughout the State are requested to prepare an alphabetical list of the names of all persons who have enlisted from each town since the 2d day of July, with the company or regiment in which they have enlisted. Such lists will be made out up to the 1st day of November, and will be immediately thereafter transmitted to this Department, approved by a vote of the district committee. In addition to and in anticipation of the formal statement to be made, as herein provided, a list, giving the aggregate number of men who have volunteered from each town up to the 15th instant, with the regiment or company, and approved in the same manner, will be filed in this Department, on or before the 25th instant. If the requisite information should not be furnished from any county or town, the number of men to be drafted will be determined from the best information that can be obtained. Five per cent. will be added to the quota of each town, to provide for any deficiency arising from desertions after enlistments; from the exemption of large classes residing in certain localities, and from other causes.”

Under these orders, the services were performed by the parties selected by district committees throughout the State, and in compliance with section 4, General Orders No. 95, Adjutant General's office, under date of December 15, 1862.

“ § 4. General Orders No. 95. Persons engaged in the preparation of the alphabetical lists of volunteers from the various districts, will make out their accounts in triplicate, as above, at the rate of two dollars per diem for the actual number of days so employed, and append the certificate of the chairman or secretary of the Senatorial district committee that the account is correct and just, and that the service was rendered as charged.”

The accounts were transmitted to the Inspector General's office for audit, in connection with all the other accounts appertaining to the enrolment of the militia, as directed by General Orders Nos. 79 and 95. The accounts have all been audited by this Department, but were not embodied in those forwarded to Washington for payment, for the reasons that the General Government only authorized the appointment of commissioners, examining surgeons and enrolling officers. The benefits derived from the alphabetical lists were of no service to the General Government,

but were entirely local in their nature, and were intended to be for the advantage of the State in arranging for the quotas in the different counties.

There not being any appropriation from which the Comptroller can pay these officers, for services performed under the orders above referred to, I would most respectfully recommend the appropriation of the sum of four hundred and forty-six dollars and fifty cents (\$446.50) by the Legislature to pay these claims, which have been audited by this Department, to the several counties, as follows, being all the counties from which claims have been preferred for this service, to wit:

Accounts for preparing alphabetical lists of volunteers, pursuant to General Orders No. 79, Adjutant General's office, of 1862:

Counties.	Amounts.
Columbia	\$100 00
Erie	50 00
Franklin	16 00
Genesee	32 00
Herkimer	4 00
Jefferson	52 00
Livingston	31 00
Monroe	10 00
Montgomery	4 00
Otsego	24 00
Oswego	16 00
Queens	36 00
Steuben	20 00
St. Lawrence	28 00
Schuyler	7 50
Tioga	6 00
Ulster	10 00
Total	\$446 50

JOSIAH T. MILLER,
Inspector General S. N. Y.

State of New York.

No. 68.

IN SENATE,

March 15, 1864.

GENERAL ORDERS.

250. An act to amend an act entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors," passed April 16, 1857, so far as relates to the counties of Ulster and Greene.
251. An act to incorporate the New York Guaranty and Indemnity Company.
252. An act authorizing the electors of the village of Norwich, in the county of Chenango, to raise money by tax and sale of bonds, for the purpose of supplying said village with water and other means for the extinguishment of fires.
253. (Assembly bill No. 78.) An act to amend the charter of the village of Batavia.
254. An act to amend chap. 146, of the Laws of 1856, and chap. 254, of the Laws of 1857, authorizing the construction of a bridge across the Hudson river at Albany.
255. An act to establish a board of commissioners to correct erroneous assessments for taxes in the city of Brooklyn.
256. (Assembly bill No. 51.) An act to amend an act entitled "An act to amend an act to divide the town of Chateaugay, Franklin county, into two election districts," passed April 9, 1859.
257. An act declaring Post creek a public highway.
258. An act to incorporate the Columbian Pleasure Club of the city of New York.
259. An act to incorporate the Corn Exchange Warehouse and Security Company.

260. An act to amend the charter of the United States Warehousing Company.
261. An act to prevent encroachments in the harbor of New York, and to provide for the completion of the extension of the Battery.
262. An act to amend the charter of the village of Perry.
263. An act to amend the act entitled "An act to provide for the incorporation of villages," passed December 7, 1847, so far as relates to the village of Corning, in the county of Steuben.
264. An act in relation to the weight and marks on casks and packages containing land, butter and cheese.

State of New York.

No. 69.

IN SENATE,

March 12, 1864.

COMMUNICATION

FROM THE GOVERNOR, TRANSMITTING THE REPORT OF THE
AUDITING BOARD, CONSTITUTED BY CHAPTER 397, LAWS
OF 1862.

STATE OF NEW YORK:

EXECUTIVE DEPARTMENT, }
ALBANY, *March 12, 1864.* }

To the Senate :

I transmit herewith the report of the Auditing Board, constituted by chapter 397, Laws of 1862.

HORATIO SEYMOUR.

NEW YORK, *March 12, 1864.*

To His Excellency HORATIO SEYMOUR,

Governor and Chairman of the Board of State Officers :

Sir—The Auditing Board, constituted by section 2 of chapter 397, Laws of 1862, would respectfully submit the following report of their transactions :

The portions of the above chapter referring to the duties imposed upon this Board are as follows :

“ § 1. The Board of State Officers named in section 1, chapter 277 of the Laws of 1861, are hereby authorized and empowered to pay or cause to be paid such sums as may be audited, in the manner hereafter provided and approved by said Board, for claims incurred in the organization, pay, equipment, quartering, subsistence and other proper expenses of troops raised under the authority of said chapter, or under the direction and authority of the Commander-in-chief, for the service of the United States, or received from this State by the President of the United States before the first of June, 1861, which are properly charge-

able to the several military departments of this State, and which, on account of any irregularity, either in the mode in which the same were incurred or certified, have not hitherto been allowed or paid.

"§ 2. The Inspector General, Judge Advocate General, and Quartermaster General, or any two of them, are hereby constituted an auditing board to audit such claims as may be presented under the provisions of this act."

The amount appropriated by the above chapter was \$500,000. The following amendment was made by chapter 409, Laws of 1863 :

"§ 1. All military accounts and claims against the State, which have accrued or may accrue in the organization, pay, equipment, quartering, subsistence and other proper expenses of troops raised for the service of the United States since the first day of June, 1861, may be audited under the provisions of chapter 397 of the Laws of 1862, and paid from the appropriations made by that act."

The board, as originally formed, was as follows: C. A. Arthur, Inspector General; Wm. Henry Anthon, Judge Advocate General; Cayler Van Vechten, Quartermaster General. Subsequent to July 10th, 1862, the above arrangement was modified by an exchange of position on the staff by Generals Arthur and Van Vechten, and so continued until the first day of January, 1863, when the terms of office of the above officers expired and the present board was constituted *ex-officio*.

Up to January 1st. 1863, 617 claims were presented to the board, the amount claimed therein being in the aggregate \$238,246.31; and to the above date, 113 claims were allowed, and 137 disallowed, the aggregate amount allowed being \$39,811.23, and disallowed, \$38,362.74. In addition, 26 claims were examined by the late board, but not finally acted upon.

There were on the first of January, 1863, 367 claims transmitted to the present board, with aggregate amount claimed thereon of \$160,072.34; and there have been presented since the above date 398 claims, with aggregate amount of \$18,871.74 claimed thereon. The number of claims allowed by the present board were 268, and disallowed, 76, the total amount allowed being \$100,597.01, and disallowed, \$32,034.58. In addition, 23 claims have been examined, but not finally acted upon.

The following is a summary of the transactions of the board

since the passage of the act, April 21st, 1862, and up to March 5th, 1864:

Total number of claims received, 1,015; allowed, 381; disallowed, 213; withdrawn by claimants before examination, 33; under consideration, 388.

Total amount claimed on all claims presented, \$427,118.05; allowed, \$140,408.24; disallowed, \$70,397.32; withdrawn by claimants, \$7,180.15; under consideration, \$209,132.34.

All the claims allowed by this board have been duly transmitted to your board, in accordance with the first section of the act.

Since the organization of the auditing board, the members thereof have been constantly on duty in their respective staff departments, and their time has been largely engrossed by the labors connected with the organization and equipment of the large volunteer forces raised by the State, the enrollments for the draft, and the organization and equipment of the National Guard, twice during that period sent to the field. These duties, originating in the distracted state of the country, have been imperative, and have prevented the members of the board from devoting the time and attention to their extraordinary duties as auditors, that they have desired. Furthermore, the board have believed it necessary to be deliberate in their action, in order to fully examine and scrutinize every claim presented to them. The great number of these claims, and their extraordinary and diverse character, have demanded time for their proper consideration; and in many cases the difficulty of obtaining the evidence required by the board has delayed action, as haste has been considered incompatible with that deliberation demanded by justice to the claimants and the State.

The military claims against the State, for the payment of which provision has been made by this law, originated in the joint action of the State and General Government, and the necessary responsibilities assumed by the State, in the early stages of the war, to furnish troops for the general service, and send them forth properly equipped.

It may not be deemed inappropriate to briefly enumerate here the several classes of claims which have been favorably considered by the board.

When the several regiments of State militia were ordered to Washington, immediately after the President's proclamation of

April, 1861, there were no available public stores in the possession, either of the State or the United States, from which issue could be made to these troops. The regiments were largely augmented by recruits, all of whom had to be uniformed and equipped, and the expenditures for which were generally borne by the several regiments, and paid from their regimental fund. A minor amount remained unpaid from want of funds. The fact that the promptitude with which these troops moved, undoubtedly save the national capital from capture, has been acknowledged and appreciated generally, and has been a source of pride and congratulation to the citizens of the State. The claims made before this board for account of supplies to the above regiments, when properly authenticated and certified, have been allowed.

Most of the troops raised under chapter 277, Laws of 1861, were paid from the appropriation made by that act, except those accruing prior to their acceptance as companies and rendezvous at the depots. The expenses of collecting and sustaining these troops until full companies were raised was generally borne by the commandants of the companies. Such expenses for subsequent regiments were paid by the United States, but in the case of the above regiments each payment was refused by the U. S. Disbursing officers, for the reason that the State had had exclusive control of such organizations under a special law, and had made a claim for reimbursement of other expenditures, these should also, to avoid confusion, be paid by the State, and presented for reimbursement to the General Government in the same manner as the other accounts. Claims for such expenses in recruiting the companies referred to, as are recognized by the United States, have been allowed upon proper vouchers, certificates and other evidences.

During the organization of the above mentioned regiments, the State authorities found great difficulty in obtaining proper supplies for them on account of the sudden demand for military stores of all kinds; and it frequently occurred that no issues could be made, and the officers were obliged to purchase on their own responsibility shoes, blankets, &c., for the proper comfort of their troops. Such claims, when presented in regular form, and duly certified by the officers, in accordance with the regulations of the United States army have been allowed. Prior to the issue of General Orders No. 70, September 3d, 1861, from the War Department, no provision had been made for the

payment of recruiting expenses of volunteer officers, but by the issue of that order, based on the appropriations made by Congress, the payment of all proper recruiting expenses was assumed by the United States, and this board have refused to allow accounts rendered for such purposes which had accrued after the above date.

Subsequent to the acceptance by the Governor of the regiments authorized by the act of April 16th, 1861, and prior to the call of the President, July 25th, 1861, for 25,000 additional volunteers, several regimental organizations were started in this State independently, with the hope of being recognized by the State or General Government, to which were afterwards added several regiments, the organization of which was commenced under special authorizations from the War Department. By General Orders No. 71, September 5th, 1861, from that department, all of the above regiments were placed under the control of the Governor, and their officers ordered to report to him, and the regiments were accepted as New York State volunteers. During their organization and prior to the date of the above order, these regiments found great difficulty in obtaining supplies, and purchases were made by the officers, of shoes, blankets, &c., for their needy men, with the assurance to the person selling the same that payment would be made by Government. The general ignorance then prevalent in regard to military matters, and especially as to the regulations of the Quartermaster's Department, in connection with the general desire that no impediments should embarrass the efforts of those raising troops, induced many merchants to extend credit to these regiments, and furnish them with those supplies so much needed. Upon presentation of these accounts to the United States authorities, payment was refused upon the ground of informality, both as to manner in which the indebtedness was incurred and the form in which the accounts were rendered or certified. Being assured that such supplies were absolutely necessary for the comfort of the troops enlisted in those regiments, that they could not be furnished therewith by the proper departments, that the goods were furnished by the merchants in good faith and at the current market rates, and furthermore, in consideration of the fact that the regiments so supplied were subsequently ordered to report to the Governor, and were accepted as State volunteers, the board have audited and allowed all accounts of this nature, sustained by the proper receipts, certificates and other evidences.

The latter part of July, 1861, when additional regiments of New York State volunteers were demanded by the President, it was understood that the payment of officers for services should commence from the date of their acceptance by the Governor. This principle had been recognized by Congress in the "act for the relief of the Ohio and other volunteers," passed July 24th, 1861, by which it was provided that the pay of ninety days' volunteers "should be computed from the day of their organization and acceptance by the Governor;" and in section 2 of act No. 58, passed August 6th, 1861, it was enacted that the provisions of the beforementioned act "should be extended to all volunteers mustered into the service of the United States, whether for one, two or three years, or for and during the war." By General Orders No. 77 of the War Department, (September 13th, 1861,) the Paymaster General was directed to make payments in accordance with the above laws. In accordance with these assurances, when General Orders No. 78 of the State were published July 30th, 1861, establishing the organization of the new regiments, paragraphs 7 and 8, referring to the organization of companies, provided that "if the company so organized shall be accepted by the Commander-in-chief, *the pay of officers and men will commence from the date of such acceptance.*" Under this provision, upon proper certificates as required, special orders were issued by the Adjutant General of the State accepting captains and first lieutenants. Subsequently when these officers were paid by the United States Paymaster, their acceptance by the Governor was disregarded for the alleged reason that the laws above referred to applied only to enlisted men, and that the payment of officers could only be made from date of their muster into the service of the United States, in compliance with General Orders No. 61, series of 1861, of the War Department. The faith of the State having been pledged by the issue of General Orders No. 78, as above quoted, the board have audited and allowed the claims of captains and first lieutenants accepted by the Governor under those orders, from the date of such acceptance to the date when they commenced drawing pay from the United States, such dates being fixed by the certificates of the Adjutant General of the State, and the Paymaster General, U. S. A. A large majority of the claims allowed by the present board are included in this class.

In the State orders in regard to organization, issued since No.

78 of 1861, it has been expressly stipulated that the pay of officers would commence from the date of their muster into the service of the United States, and valid claims against the State for the pay of officers have thus been prevented.

In a communication from Hon. Thomas A. Scott, Acting Secretary of War, to Governor Morgan, dated August 3d, 1861, and providing for the payment by the United States of expenditures incurred in the raising, organizing and equipping the 25,000 volunteers from this State, it was stipulated that the "compensation of commandants, aids and officers of departments engaged in the organization as authorized by the proper bureau," should be so paid.

When these accounts for compensation of commandants of depots and their aids were presented by the Governor for payment, from the funds for "collecting, drilling and organizing volunteers," appropriated by Congress, August 5th, 1861, they were rejected by the United States disbursing officers, on the ground that such commandants and aids were not mustered into the service of the United States, but were acting entirely under orders from the State authorities, to whom alone they were responsible, and that payment for their services should be made directly by the State. This board have audited and allowed the accounts of such officers as were specially assigned to duty at depots and camps by order of the Governor, their compensation being fixed by the rates established for officers in the State service, by resolution December 31, 1861, of the State Military Board, under chapter 277, Laws of 1861.

In addition to the classes of accounts enumerated, a few miscellaneous claims have been allowed, upon evidence that the services were rendered and expenditures made under competent authority, and properly chargeable to the military department of the State.

The classes of accounts allowed by this board may be briefly recapitulated as follows:

1st. Accounts for equipment and other proper expenses of the militia of the State, preparatory to their three months' United States service in 1861.

2d. Accounts for equipment and other proper expenses of volunteer troops from this State in 1861, during the period when the supplies in the possession of the State and the United States authorities were inadequate, or for other reasons could not be

issued to such troops, and prior to the provision made by General Order No. 70, of 1861, from the War Department, for payment of expenses of recruiting.

3d. Accounts rendered for services of captains and first lieutenants of companies, raised under General Order No. 78 of 1861, from the Adjutant General's Department of the State, subsequent to their acceptance by the Governor, and prior to date of their payment by the United States.

4th.—Accounts for services of officers and others assigned to special duty connected with the raising of troops for the service of the United States by order of the Commander-in-chief, and not in the service of the United States.

5th.—Accounts for services rendered, expenditures made, or articles furnished in connection with the volunteer service and properly chargeable to the several military departments of the State.

The board have reason to believe that every claim allowed by them is a proper charge against the United States, and that reimbursement of the same may be obtained, as contemplated in section 4, of chapter 397.

It is manifestly desirable that every military claim against the State, originating in the present war, should be adjusted at an early date, while all the evidences as to validity are obtainable, and the stamp of approval or disapproval placed upon them now. Otherwise such claims, at a later day, will be importunately pressed for payment, enlarged by delay, and the want of evidence concealed by appeals to patriotism, under the guise of justice and equity; valid and invalid claims will then rest on an equal basis.

Impressed with these views, the Board have recently caused the subjoined advertisement to be published in newspapers of general circulation, in different parts of the State, in order that every claim against the State should be presented and equitably adjusted :

“**MILITARY CLAIMS AGAINST THE STATE OF NEW YORK.**—All persons holding claims against the State of New York, payable under the provisions of the act entitled ‘An act to provide for the payment of certain claims incurred in the organization, equipment and subsistence of troops raised in the State of New York, or received therefrom for the service of the United States, passed April 21st, 1862, and amended May 4th, 1863, are hereby

notified to transmit the same, with the vouchers thereof, to Col. Silas W. Burt, Assistant Inspector General, at No. 51 Walker street, New York city, on or before the 1st day of March, 1864.

“JOSHIAH T. MILLER, *Inspector General*.

NELSON J. WATERBURY, *Judge Advocate Gen.*

S. V. TALCOTT, *Quartermaster General*.

“NEW YORK, *February 2, 1864.*”

The board are convinced that all claims connected with the present war, which may hereafter be presented for payment, and which have not been presented to this board, should be viewed by the Legislature or auditing officers with suspicion, since the fact of non-presentation for scrutiny by this board may be justly considered as presumptive evidence that such claim is either fraudulent or not a just claim against the State.

All of the claims acted upon by this board have been originally filed and examined in the Inspector General's Department, which has also, up to the 1st of last January, furnished all the clerical assistance required by the board. The militia law of 1862 provided that the Assistant Inspector General, under the direction of the head of the Department, should be auditor of military accounts, and the claims presented under chapter 397, have in accordance therewith been primarily examined by him. A full and correct record of every claim, and the action thereon, has been kept, which will be of permanent value hereafter in determining the character of accounts and claims. Every paper filed before the board has been appropriately stamped, so that in the case of disallowed claims, the same papers cannot be thereafter used to substantiate the same or other claims without detection. In this connection, it is respectfully suggested and recommended that all military accounts against the State, whether connected with the militia or volunteer service, should be audited and examined in one of the military departments. The magnitude and diversity of these accounts, and the new principles involved, require that they should be specially examined and audited, and a correct record kept thereof.

Section 99, of chapter 477, of the Laws of 1862, provides that “in the Inspector General's Department there shall be an Assistant Inspector General, with the rank of colonel, who shall also act under the direction of the Inspector General as inspector of military accounts.” This position has been held since the crea-

tion of the office by Colonel Silas W. Burt, who has also acted as secretary of this board since its organization. To his scrutiny all accounts submitted have been subjected before audit, and he has been specially charged by the board with the duty of representing the State on all hearings, and thus aiding the board to protect the treasury from imposition and fraud. His personal knowledge of the circumstances out of which most of the claims presented have arisen, and his experience as an accountant, have been of great service to the State, and the board desire to bear testimony to the able, faithful and impartial manner in which he has discharged the difficult and delicate though important duties with which he has been charged.

The board respectfully recommend the appropriation of three hundred and fifty thousand dollars for the payment of such claims now before the board as may be audited and allowed, and such other claims, payable under the act, as may be filed before the next session of the Legislature, and for the proper expenses of the board, as provided by section 2, chapter 409, Laws of 1863.

JOSIAH T. MILLER,

Inspector General.

NELSON J. WATERBURY,

Judge Advocate General.

S. V. TALCOTT,

Quartermaster General.

State of New York.

No. 70.

IN SENATE,

March 4, 1864.

MEMORIAL

OF THE GOVERNORS OF THE NEW YORK HOSPITAL FOR
AN APPROPRIATION IN AID OF SAID HOSPITAL.

New York, *March 2, 1864.*

Hon. DAVID R. FLOYD JONES,
President of the Senate:

Sir—Pursuant to a resolution of the Board of Governors of the New York Hospital, I hand you the accompanying memorial for presentation to your honorable body.

Faithfully yours, .

F. A. CONKLING,

Sec'y pro tem.

To the Hon. the Legislature of the State of New York:

. The memorial of the Society of the New York Hospital, in the city of New York, respectfully represents, that this hospital was established by charter from George III., in the year 1771; that in aid of the hospital, the Colonial Legislature, in 1772, granted an annual allowance of £600 for twenty years, and in 1775 the sum of £4,000. The annuity ceased with the commencement of the revolutionary war; and in 1788, the Legislature of the State directed £800 every four years to be paid out of the money arising from the excise in the city of New York; and by a subsequent act, passed 1792, granted £2,000 for five years, also payable out of the city excise. In 1795, the Legislature repealed the act of 1792, as to future payments, and granted to the hospital £4,000 (\$10,000) annually for five years, payable out of duties for sales at auction; and an additional sum of £1,000

(\$2,500) was granted in 1776. In 1801, the annual allowance was continued for five years longer; and in 1806 an act was passed, directing the sum of \$12,500 annually to be paid till the year 1857 to the treasurer of the New York Hospital, on the representations of the governors of the necessity of more suitable accommodations for insane patients; and the act of 1805 was then repealed. In 1816, a further grant of \$10,000 was made, payable annually till 1857.

These donations are thus particularly recited in order to show that this charity has been fostered and sustained from its first organization till a very recent date, by the wise and liberal legislation of the Colonial and State Legislatures, and in an eminent degree possessed their confidence and favor, and was regarded to a certain extent as a State institution.

The acts granting \$10,000 and \$12,500 in aid of the institution expired in 1857. The Legislature, however, appropriated the annual sum of \$22,500 for the same objects for two years longer, withholding from this corporation any participation in the sum of \$25,000, which the Legislature had directed to be divided annually among the incorporated hospitals of the State, in proportion to the number of patients treated by them respectively.

The governors, at the subsequent sessions of the Legislature, applied unsuccessfully for the renewal of the former grants, and as the New York Hospital was excluded from partaking of the sum directed to be divided as above stated, it has in fact received no aid whatever for three years past.

The appropriations to the hospital and asylum, together \$22,500 annually, were made in 1806 and 1816, when the number of the inhabitants of the State was about equal to the present number of inhabitants of the city, and the inhabitants of the city about 100,000, against one million at the present time.

Aided by these grants, and in reliance upon their continuance, from the long settled policy of the State, and by generous donations from the benevolent, important improvements were made in the main central building, and in the building on Worth street, and a new and capacious structure was erected on Duane street, mainly devoted to the care of seamen, and improvements were made in the lodges at Bloomingdale, and in the main building there, and a new and superior edifice was erected adjacent thereto—all devoted to the use of the insane. The capacity for

usefulness of this ancient corporation was thereby greatly enlarged.

Including the payment of interest upon a loan from the savings bank of \$100,000, which was chiefly applied to complete the said improvements, the excess of expenditures, when deprived of these State grants, became, and continues to be, about \$30,000 per annum over receipts from all sources whatever, except donations. In this emergency and crisis in its affairs, the governors urgently ask the interposition and aid of the Legislature, failing which, the usefulness of the institution will at once be greatly curtailed.

May it please the honorable the Senate, and Assembly, and the Executive of the State: Your memorialists would further respectfully state, that this corporation, in its Christian work, recognizing no distinction of faith, race or nativity, would humbly follow the great Christian example, and zealously and impartially devote itself to the cure and relief of the sick, destitute and insane, male and female. The fidelity in the past management of this great charity, and the inherent provisions of its charter and regulations, on which it is conducted, are a safeguard and guarantee for the future.

The advance in population, wealth and material prosperity of this city and State, are without a parallel, and their duties and obligations are correspondingly increased. It may be urged that not only much treasure, but life itself, has already been cheerfully offered to sustain the national existence. It is true, and it is well. Yet the poor and oppressed of many distant lands continue to seek an asylum in the new world, through the entrance port of this great city, and augment the number of its needy, sick and destitute. And in a community that has been so mercifully spared the desolation and horrors of the great national struggle, can the claims of the sick and needy, and of those not in their right mind, whom God, in his providence, leaves to our care, be neglected, without danger of bringing His displeasure upon us? He has declared, "Ye have the poor with you always, and whensoever ye will, ye may do them good."

Leaving the consideration of these high and binding obligations, the credit and pride of this wealthy State and city seem to be involved in the success of this appeal.

Members of the medical profession throughout the State, and

many students and strangers, and others of scientific curiosity visit both the hospital and asylum for comparison and instruction. The museum and pathological cabinet is of great interest, and does credit to a hospital which has received and treated during the last three years an average of more than 3,300 patients annually, of which number, by far the greater part, viz.: about two-thirds, were surgical cases, this hospital being the largest civil surgical hospital in the United States. The enlargement of the museum is secured by a very liberal donation from Mr. Robert Ray, whose son, the late Dr. Ray, was for a long time one of its most proficient curators.

The location of the asylum is one of unsurpassed beauty, and its curative appliances have rarely been equalled, and perhaps never excelled. The buildings on Broadway are also admirably located. The site has unequalled advantages; the sandy soil secures effectual drainage, and its unique and airy elevation affords complete ventilation. The only general hospital in the lower part of the city, (unless the Poor House Hospital in 26th street for pauper patients, only can be considered an exception,) is this New York Hospital. Of the patients received therein, nearly all of whom urgently require immediate surgical aid, two-thirds are received from below Grand street, which street is nearly twice as distant from the poor house as from this hospital. Many of these patients, some of whom have been wounded and sick soldiers, are brought from the country, and landed from the steamboats and ferries quite in the lower parts of the city. Thus its centrality offers instant aid, and not seldom deliverance from sudden death in cases of dreadful injuries from fire and from violence, and from the shocking accidents in this crowded city and neighborhood. No structures attract more immediate and admiring attention from visitors to the city than these massive and harmonious buildings; and it should be a matter of just pride that they are retained in the very heart of the city, safe from the all-grasping and absorbing demands of traffic, and dedicate to the great purposes of humanity.

Your petitioners therefore earnestly pray the Legislature to appropriate the sum of \$22,500 annually, for two years longer, for the use of the Society of the New York Hospital.

GEO. T. TRIMBLE, *President.*

F. A. CONKLING, *Sec. pro tem.*

[SEAL.]

State of New York.

No. 71.

IN SENATE,

March 17, 1864.

GENERAL ORDERS.

265. An act to incorporate the village of Melyn, in the county of Richmond.
266. An act to amend an act entitled "An act to provide for the regulation and inspection of buildings, the more effectual prevention of fires, and the better preservation of life and property in the city of New York," passed April 19, 1862.
267. An act authorizing the raising of money for the fire department in the village of Athens.
272. An act to authorize corporations to change the nominal amount of their capital stock.
273. An act to provide for the registration of deaths in the several towns and wards in the State.
274. An act to incorporate the Missionary Society of St. Paul the Apostle in the State of New York.
275. An act to incorporate the Catholic Library Association of the city of Brooklyn.
276. An act to amend the act to establish fire limits, and for the more effectual prevention of fires in the eastern district of the city of Brooklyn, passed April 17, 1860.
277. An act to amend an act entitled "An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same," passed April 17, 1854, and the several acts amendatory thereof and supplemental thereto, or affecting the same.
278. An act relative to lands in the city of New York devised by Joseph Miller, deceased, to Elizabeth Waugh and her children.
279. An act to incorporate the Fisher Iron Company.

280. An act to incorporate Clifton Hose Co. No. 6, in the county of Richmond.
281. An act to incorporate Clifton Hose Co. No. 8, in the town of Southfield, Richmond county.
282. An act to extend the time for the collection of taxes in the town of Rome, in the county of Oneida.
283. (Assembly bill No. 104.) An act to amend an act entitled "An act to provide for the compensation of a clerk for the treasurer of the county of Kings," passed April 11, 1859.
284. (Assembly bill No. 89.) An act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens.
285. (Assembly bill No. 45.) An act for the relief of Abner C. Mattoon.
286. (Assembly bill No. 38.) An act to provide for the appraisal and payment of damages sustained by Samuel P. Cunningham.
287. An act to extend the operation and effect of the act passed Feb. 17, 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes."
288. An act for the relief of Myron H. Mills.
289. (Assembly bill No. 362.) An act in relation to the State arsenal in Brooklyn.
290. An act for the protection of canal and other lands belonging to the State of New York.

State of New York.

No. 72.

IN SENATE,

March 17, 1864.

REPORT

OF THE CANAL BOARD ON THE BILL FOR THE IMPROVEMENT OF THE NAVIGATION OF BLACK RIVER.

STATE OF NEW YORK:

CANAL DEPARTMENT, }
ALBANY, *March 16, 1864.* }

To the President of the Senate:

Sir—By the direction of the Canal Board, I herewith transmit the report of the Canal Board in reply to the resolution of the honorable the Senate, of the 7th instant, requesting the opinion of the Board on the bill to provide for the improvement of the navigation of the Black river.

I am, very respectfully,

Your obedient servant,

N. S. BENTON, *Auditor.*

CANAL DEPARTMENT, }
ALBANY, *March 16, 1864.* }

To the Senate:

The Canal Board, in response to the following resolution of the Senate, to wit:

STATE OF NEW YORK: }
IN SENATE, ALBANY, *March 7, 1864.* }

On motion of Mr. COLE,

Resolved, That the bill referred to the committee on canals, to provide for the "improvement of the navigation of the Black river between the mouths of Otter creek and Carthage," and upon which bill the majority of said committee have made a
[Senate, No. 72.]

favorable report, be referred to the hon. the Canal Board, with a request that they will examine and report thereon to the Senate, with their opinion.

By order of the Senate.

JAMES TERWILLIGER, *Clerk.*

Respectfully submit the following

REPORT:

That in the opinion of the officers of this Board, navigation between Carthage and Otter creek on the Black river cannot be maintained without some such improvement; that by such an improvement, navigation can be maintained during the whole season without difficulty; that the cost of constructing such a lock and dam would be \$30,000; that your committee is unable at present to fix the exact location, where between those two points it might be most advantageous, and therefore recommend that the Canal Board be empowered to fix such precise location.

Resolved, That the Auditor of the Canal Department be requested to transmit the foregoing to the honorable Senate as the opinion of the Canal Board.

CANAL DEPARTMENT, }
ALBANY, *March 7, 1864.* }

I certify the above to be true copies of the report and resolution adopted by the Canal Board.

N. S. BENTON, *Auditor.*

State of New York.

No. 73.

IN SENATE,

March 18, 1864.

GENERAL ORDERS.

291. An act to amend an act entitled "An act in relation to the village of Canandaigua, and enlarging the powers and duties of the trustees of said village," passed April 17, 1854.
292. An act in relation to the justices' courts of the city of Brooklyn, and to amend an act entitled "An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn," passed March 24, 1849, and the several acts amendatory thereof.
293. (Assem. No. 313.) An act to amend the act amending the act incorporating the village of Watertown, passed April 12, 1859.
294. (Assembly bill No. 92.) An act to amend an act entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," passed April 8, 1861.
295. An act to amend "An act authorizing the village of West Troy to pave Broad street therein, and for other purposes," passed March 19, 1863.
296. (Assembly bill No. 166.) An act to amend an act entitled "An act to amend and consolidate the several acts relative to the village of Potsdam."
297. (Assembly bill No. 150.) An act to enable the trustees of the village of Owego, Tioga county, to purchase additional lands for cemetery purposes.
298. (Assembly bill No. 162.) An act authorizing the trustees of the village of Plattsburgh, county of Clinton, to raise money by tax, for the purpose of paying a judgment against said village.
299. An act for the relief of William Burling.
300. An act to amend an act entitled "An act to incorporate the Hudson and Harlem River Canal Company," passed May 2, 1862.

301. (Assembly bill No. 106.) An act for appropriating moneys for the improvement of Beaver river.
302. An act to amend an act entitled "An act for the preservation of moose, wild deer, birds and fresh water fish," passed April 23, 1862.
303. An act to prevent the taking of fish from private or artificial ponds.
304. (Assembly bill No. 338.) An act for the relief of the town collectors in the county of Richmond.
305. (Assembly bill No. 353.) An act to extend the time for the collection of taxes in the town of Orangetown, in the county of Rockland.
306. (Assembly bill No. 137.) An act to fix the compensation of the treasurer of the county of Clinton.
307. An act in relation to the bridge over Black river at Lyons' Falls.
308. (Assembly bill No. 151.) An act for the relief of the Woodlawn cemetery.
309. An act to amend an act entitled "An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York," passed March 29, 1824.
310. An act to amend an act entitled "An act to amend the charter of the Ravenswood, Hallett's Cove, and Williamsburg Turnpike and Bridge Company," passed April 21, 1840, and to repeal section 2 of said act.
311. An act to amend the charter of the Citizen's Savings Bank of the city of Syracuse.
312. (Assembly bill No. 329.) An act to authorize savings banks and savings institutions to make loans to counties on their bonds.
313. An act to amend an act entitled "An act to facilitate the acquisition of lands for the extension of the Croton water works, and for building reservoirs in the city of New York, and to authorize the mayor, aldermen and commonalty of the said city to borrow two hundred thousand dollars for the purposes aforesaid."
314. An act to provide for the reimbursement of the 22d Regiment National Guard of the State of New York, and its members, for clothing, equipments and camp equipage, lost or destroyed in the service of the United States during the summer of 1863.

State of New York.

No. 74.

IN SENATE,

March 19, 1864.

REPORT

OF THE CANAL BOARD IN REPLY TO A RESOLUTION OF
MARCH 16, RELATIVE TO THE DISCHARGE OF WATER FROM
THE CAYUGA LAKE.

STATE OF NEW YORK:

CANAL DEPARTMENT,
ALBANY, *March*, 18, 1864. }

To the President of the Senate :

Sir—By the directions of the Canal Board, I herewith transmit to the Senate the report of that Board in response to the resolution of the Senate of the 16th instant, relating to the discharge of water from the Cayuga lake.

I am, very respectfully,

Your obedient servant,

N. S. BENTON, *Auditor*.

CANAL DEPARTMENT, }
ALBANY *March* 18, 1864. }

To the honorable the Senate :

The Canal Board, to which was referred the following resolution of the Senate, to wit:

“ *Resolved*, That the Canal Board are respectfully requested to inform the Senate whether the erection of the enlarged Erie canal across the Montezuma marshes, and the Cayuga and Seneca canal and towing-path across the marsh between the outlets of the Seneca and Cayuga lake, affects the discharge of water from Cayuga lake, so as to increase or affect the marsh on Cayuga inlet at Ithaca;” would respectfully

REPORT:

That the Board is unable to render a full and satisfactory answer to the Senate resolution, from any facts on record in the State departments.

[Senate, No. 74.]

Various reports have been made, from time to time, by engineers and Canal Commissioners, and by commissions delegated by the State Legislature, in reference to construction of the enlarged Erie canal across the Montezuma marshes, as affecting the flow of water over the same, having particular reference to that portion of the marshes lying south of the canal.

In all of the documents and reports relating to the subject, but one result was ascertained, viz., that the conducting of all the waters which formerly flowed over the surface of the marshes through the Montezuma aqueduct, would dam the water back above the canal, in times of freshets, and impede its natural flow, particularly in time of high water.

No measurements or examinations have been made by the authorities of the State since the completion of the canal at the location under consideration, to ascertain the extent to which the water has been set back in consequence of the construction of the enlarged canal.

The last report made will be found in the report of the State Engineer and Surveyor for the year 1860, both from the Hon. Van R. Richmond, and a committee selected to make a report relative to the completion of the drainage of the Cayuga marshes. In both of these documents, the fact that the State structures would retard the free passage of the high waters north is established, but how far south from the canal the waters would be affected could not be fully considered, for at that date the canal was not completed, the waters not having been entirely conducted through the aqueduct until subsequent to the rendering of the reports in 1860.

It is, however, proper to judge, from the action of the waters during the progress of the canal work, that the discharge of the water from Cayuga lake has been affected by the barriers placed across the marshes by the State, and also that the marshes on the Cayuga inlet are more or less affected in the spring, but from the information now known by former examinations, it is impossible to determine to what extent the marshes at the head of Cayuga lake are increased, without having measurements and facts obtained, which shall show the effect of the obstruction since the completion of the canal.

Resolved, That the Auditor be requested to transmit to the Senate the foregoing, as the answer of the Board to the resolution of the said body.

State of New York.

No. 75.

IN SENATE,

March 19, 1864.

COMMUNICATION AND RESOLUTIONS

FROM BOARD OF COMMISSIONERS OF PILOTS, RELATIVE TO
GRANTING EXCLUSIVE USE OF WHARVES AND SLIPS TO
STEAMBOAT LINES.

OFFICE OF COMMISSIONERS OF PILOTS, }
69 SOUTH STREET, NEW YORK, *March 15, 1864.* }

Hon. DAVID R. FLOYD JONES,
President of the Senate:

Sir—Herewith I beg to hand you, by direction of the Board of Commissioners of Pilots, a copy of resolutions adopted by them at a meeting of the Board held this day.

I am, sir, yours very respectfully,
RUSSELL STURGIS, *President.*

NEW YORK, *March 15, 1864.*

At a regular meeting of the Board of Commissioners of Pilots, held this day, at their office, No. 69 South street, in the city of New York, the following preamble and resolutions were unanimously adopted:

Whereas, It is represented to this Board that several bills are pending in the Senate and Assembly, granting to steamboat companies, or proprietors, exclusive rights and privileges in wharves, piers and slips; and

Whereas, In the judgment of this Board, it would be highly detrimental to the public interests if the limited accommodations for the shipping of this port should be further curtailed by the granting of any such privileges; therefore

Resolved, That this Board respectfully submit to the Legislature, that it is, and will be, injurious to the commerce of this
[Senate, No. 75.]

port, and therefore inexpedient and unwise, to grant to private individuals or corporations any exclusive rights or privileges in the piers, wharves and slips of this city.

Resolved, That a copy of this resolution, attested by the president and clerk of this Board, be transmitted to the presiding officers of the Senate and Assembly respectively.

A true copy from the minutes.

RUSSELL STURGIS, *President.*

A. D. NASH, *Clerk.*

State of New York.

No. 76.

IN SENATE,

March 23, 1864.

GENERAL ORDERS.

315. An act to amend an act, passed May 2, 1861, entitled "An act to amend an act entitled 'An act to lay out a public park and parade ground for the city of Brooklyn, and to alter the commissioners' map of said city,'" passed April 17, 1860.
316. (Assembly bill No. 18.) An act making appropriations for the support of the government for the fiscal year, commencing on the 1st day of October, 1864.
317. An act to incorporate the Dime Savings Bank of Williamsburgh.
318. An act authorizing the German Savings Bank in the city of New York to receive deposits.
319. (Assembly bill No. 93.) An act concerning the Brooklyn and Rockaway Beach Railroad Company.
320. An act to authorize the Woodside and Flushing Railroad Company to build a drawbridge over Flushing creek, and to regulate the weight of rail to be used by said railroad company.
321. An act to amend an act entitled "An act to make common schools free, in district No. 5, in the town of Rome, in the county of Oneida, and to provide a tax for that purpose," passed April 10, 1862, so as to increase the amount which the trustees of said district may raise by taxation.
322. An act to amend an act entitled "An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies," passed June 24, 1853, and to amend the several acts amending the same.
323. An act to provide for the effectual and thorough drainage of certain low lands situate in the town of Barre, Orleans county.

324. (Assembly bill No. 170.) An act to amend chapter 457 of the Laws of 1862, entitled "An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk.
325. An act to incorporate the Farmers' Protection Union of the counties of Kings, Queens, Suffolk, Westchester, Richmond and Rockland.
326. (Assembly bill No. 4.) An act to amend chapter 308 of the Laws of 1863, in relation to establishing a quarantine, and defining the powers of the health officer of the port of New York.
327. (Assembly bill No. 38.) An act to incorporate the city of Elmira.
328. (Assembly bill No. 100.) An act to incorporate the Oswego Historical Association.
329. (Assembly bill No. 135.) An act to facilitate the West Shore Railway Company in the construction of their road in the county of Rockland.
330. (Assembly bill No. 176.) An act to facilitate the construction of a railroad from the village of Cherry Valley, in the county of Otsego, to the New York Central Railroad in the town of Palatine, in the county of Montgomery, and to amend certain sections of chap. 255 of Laws of 1860.
331. (Assembly bill No. 194.) An act to authorize the North Shore Railroad Company to construct a drawbridge over Little Neck creek, and fixing the weight of rail to be used by said railroad company.
332. An act to authorize the common council of the city of Utica to raise money by tax for fire department of the city, and for other purposes.
333. (Assembly bill No. 214.) An act to amend an act entitled "An act revising the charter of the city of Oswego," passed April 10, 1860.
334. (Assembly bill No. 145.) An act to amend and consolidate the several acts relating the "Fireman's Benevolent Association of Rochester," and the "Fire Department of the city of Rochester."
335. (Assembly bill No. 163.) An act to incorporate Eagle Fire Engine Company No. 1, in the village of Cold Spring Harbor, in towns of Oyster Bay and Huntington, counties of Queens and Suffolk.

336. (Assem. bill No. 121.) An act to authorize the Merchants' Bank of Erie county to close the business of banking.
337. An act to perfect an amendment to the Constitution providing for the appointment of five commissioners of appeal.
338. An act legalizing and confirming the acts of the trustees of Ball Seminary, in the village of Hoosick Falls, Rensselaer county, in conveying the real estate belonging to said seminary to the trustees of school district No. 1 in said town, for school purposes.
339. (Assembly bill No. 132.) An act in relation to the service of legal processes upon express companies.
340. (Assembly bill No. 86.) An act to legalize and confirm the acts, resolutions and proceedings of the board of supervisors of Sullivan county in relation to paying bounties, or paying or borrowing money to pay volunteers, drafted persons, substitutes or their families, or issuing bonds for such purpose, and to authorize the levying of a tax to pay the same.
341. (Assembly bill No. 203.) An act to amend the several acts relating to taxes upon dogs, so far as relates to the county of Ontario, and to provide for the extension of the provisions thereof, to the several counties in the State by resolution of the respective boards of supervisors.
342. An act to revive and amend an act entitled "An act to authorize the formation of a railroad corporation in place of the Northern Railroad Company dissolved, and to empower said corporation to execute a mortgage upon its property," passed March 31, 1857.
343. An act to incorporate the Cascadilla Place.
344. An act authorizing William C. Bronson to convey certain waters by means of pipes along the highways of the town of Erwin.
345. An act to incorporate the Erie Basin Dock Company.
346. (Assembly bill No. 246.) An act for the better protection of seamen in the port and harbor of New York.
347. (Assembly bill No. 196.) An act to legalize certain acts of commissioners appointed under section 1, chapter 79 of the Laws of 1863, entitled "An act in relation to the poor house land in the county of Dutchess," passed April 7, 1863, to purchase land in the town of Washington, in said county, for poor house and other purposes.

348. (Assembly bill No. 125) An act to enable the corporation entitled "The New York Infirmary for Indigent Women and Children," to grant and confer the title of Doctor of Medicine, and amending their corporate name.
349. An act for the relief of the inhabitants of school districts Nos. 14, 16 and 17, in the town of Elbridge, Onondaga Co.
350. (Assembly bill No. 105.) An act to erect a union school district in the towns of Lysander and Van Buren, in the county of Onondaga, and to create a board of education therein, with power of taxation and other powers for school purposes.
351. (Assembly bill No. 117.) An act to amend an act entitled "An act in relation to schools in the village of Binghamton," passed April 19, 1861.
352. (Assembly bill No. 157.) An act to amend an act entitled "An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein," passed April 22, 1862.
353. (Assembly bill No. 103.) An act to legalize certain expenditures of the board of education of the union school district of Sag Harbor for the purchase of text books, and for teachers' wages, and to authorize the levying of a tax for the payment of the same.
354. (Assembly bill No. 276.) An act to extend and continue an act entitled "An act to incorporate 'the Narrowsburgh Bridge Company,'" passed March 29, 1834.
355. An act to amend chapter 427 of the Laws of 1855, and for other purposes.
356. An act to facilitate sales of lands and to quiet titles in the purchasers and holders thereof.
357. An act to amend section 44 of the Revised Statutes, title 4, part 3, chapter 2, art. 3, passed April 12, 1824.
358. An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the county of Onondaga.
359. (Assembly bill No. 65.) An act to legalize the acts and proceedings of Charles H. Williamson as police justice of the village of Whitesborough, in the town of Whitestown and county of Oneida.
360. An act to amend the charter of the Home Insurance Company of the city of New York.
361. (Assembly bill No. 193.) An act in relation to the commissioners of excise in and for the county of Ulster.
362. (Assembly bill No. 127.) An act to provide for the extinguishment of fires in the town of Flatbush, Kings county.

State of New York.

No. 77.

IN SENATE,

March 25, 1864.

COMMUNICATION

AND REPORT OF THE AUDITOR OF THE CANAL DEPARTMENT TO RESOLUTION OF THE 18TH INSTANT, RELATIVE TO THE ONEIDA LAKE CANAL LOCKS.

STATE OF NEW YORK:

CANAL DEPARTMENT,
ALBANY, *March 25, 1864.* }

To the Hon. the Senate :

At the time of the receipt at the Department of the resolution of the Senate of the 18th instant, relating to the Oneida Lake canal locks, the Canal Board had adjourned to the 29th day of March, instant. No report in answer to the Senate resolution can therefore be made by the Board until the meeting shall be had, pursuant to the above adjournment.

Respectfully submitted.

N. S. BENTON, *Auditor.*

CANAL DEPARTMENT,
ALBANY *March 23, 1864.* }

To the Honorable the Senate :

The Auditor of the Canal Department, in obedience to the resolution of your honorable body, of which the following is a copy :

" STATE OF NEW YORK: }
" IN SENATE, ALBANY, *March 18, 1864.* }

" On motion of Mr. HUMPHREY :

" *Whereas*, The report of the State Engineer shows it to be impracticable to build enlarged locks on the Oneida Lake canal, on the present route ; therefore

[Senate, No. 77.]

"*Resolved*, That the Canal Board, State Engineer, and the Auditor of the State, be each respectfully requested to transmit to the Senate such information as they may possess on the subject, and an expression of their opinion upon the question; and that they be respectfully requested to report as early as Thursday, the 24th instant.

"By order of the Senate.

"JAMES TERWILLIGER, *Clerk*."

Respectfully submits the following

REPORT.

The Auditor has not any personal knowledge of the location of this canal, except at its junction with the Erie canal; nor has he any information in regard to the impracticability of building enlarged locks upon the Oneida Lake canal, except what is derived from the official reports from the engineers, and from other sources, which are usually deemed reliable when uncontradicted.

The manner of constructing these enlarged locks, if undertaken, must be to sink the upper mitre sill of the first lock next to the Erie canal to the level of the bottom of that canal, and three feet below the upper mitre sill of the present lock; this, of course, will cause the necessity of sinking the upper and lower mitre sills of all the locks,—seven in number,—three feet lower than the mitre sills of the present locks, and consequently, the lower mitre sill of the lock, at or near Wood creek, will be three feet below the bed or present bottom of that creek, represented to partake very much of the character of quick-sand, of which the Auditor believes there cannot be any doubt. From this lock to the lake is two and one-fourth miles, as represented by canal distances. If the earth formation of the bed of this creek did not partake of the moveable qualities or characteristics of quick-sand; or if the quick-sand at the foot of the lock can be confined so that it will not continually flow into it, and prevent the use of the lower gates, this lock could probably be used after its construction.

In 1846 and 1847, the sum of \$24,279.52 was expended in efforts to confine this channel of the creek, by piling, and the construction of a towing-path on its bank to the lake; and in 1852, 3, 4 and 5, further large outlays, amounting to \$29,199.95, were expended upon the repairs of this canal, and mainly, as the Auditor is informed, in efforts to keep open the channel of the

creek from the lock to the head of the lake. Since 1855, the expenditures for repairs have been much less in amount, and the channel of the creek and the bar in the lake have not afforded depth of water ordinarily required on the lateral canals.

The subject of the enlarging the locks on this canal appears to the Auditor not to be confined to the mere question of *impracticability*; but if on this point he misjudges, he craves pardon of the Senate for extending his remarks beyond the scope and object of the resolution.

The Auditor has no desire to become a volunteer in urging or defending the true financial canal policy of the State, or what seems to him to be the policy enjoined by the Constitution and sanctioned by the people.

His object will now be, to present such facts as appear to him should have a strong bearing upon the question of creating a new and rival line of water communication to the Oswego canal, fifteen miles north of Syracuse, and the opening of another rival and competing line with the Erie canal.

The enlargement of the Oswego canal, (38) thirty-eight miles long, has cost the State \$2,511,992.00. The interest on this cost is \$150,719.52 per year, at six per cent, the rate on all the enlargement loans, no part of which has been paid, nor will any of it mature prior to 1872.

This Oswego canal, although one of the most prosperous and productive of all the lateral canals of the State, and perhaps the most productive, yet it does not show a financial balance in its favor in its account with the Canal Fund. At the adoption of the Constitution, in 1846, this canal and the Oneida Lake canal were completed canals, in full use as thoroughfares of transportation, with a size of prism 40 and 26, and four feet depth of water.

The obstructed completion of the enlargement of the Erie canal for want of funds,—under the restrictions and limitations of the financial article of the Constitution of 1846, and the urgent need of such completion to accommodate the increasing internal traffic of the country, more than any other cause,—induced the people, in 1854, to open the Constitution to the contraction of a further debt of \$10,500,000 on account of the canals, solemnly pledging the canal revenues to the payment of the interest and for the ultimate reimbursement of this new debt. By this amendment, the enlargement of the Oswego canal, to the size and capacity of the Erie, from Syracuse to Oswego,

was provided for, and the work has been done at the cost above given. In this arrangement, the enlargement of the seven locks on the Oneida Lake canal could not have been contemplated or anticipated. If it had been, the route from Three River Point on the Oswego canal, by the Oneida river and lake,—and Oneida Lake canal being the shortest route by twenty miles, and much the cheaper for construction and enlargement,—would have been preferred.

The undersigned believes the fact will not be controverted, that the Oswego canal became the competitor with the Erie canal, from Buffalo to Syracuse, for the trade and traffic of the upper lakes, immediately on the completion of the Welland canal, in Canada, connecting lakes Erie and Ontario. This fact was known in 1854, when the enlargement of the Oswego canal was authorized, and was known before then. It was also known, that so long as the boats were restricted to three feet and six inches draft of water on the Erie and Oswego canals, the Oneida lake canal route was, and would be, successfully used as a competing route for that traffic against the Oswego canal from Three River Point to Syracuse, and against the Erie canal from Buffalo to Higginsville.

An examination of the financial tables, made up at the Department, shows how successful these efforts to divert trade to the Oneida Lake route were, from 1851 to 1857; and such examination also shows the extent of the business of this canal, contributed by the country around Oneida Lake, by the toll receipts of 1859, 1860, 1861 and 1862.

The completion of the Oswego canal enlargement, and the allowance of more than three feet six inches of draft of water to boats, effectually destroyed or took away the competing facilities of the Oneida Lake canal route, which will be partially restored by the contemplated enlargement of the locks, and wholly restored by the enlargement of six miles of canal, if that work is feasible.

The Oneida River improvement, connecting the Oneida lake with the Oswego canal at Three River Point, has two locks upon it, each 120 feet long and $30\frac{1}{2}$ feet wide; 10 feet longer and $12\frac{1}{2}$ feet wider than the enlarged locks on the Oswego. The size of the prism is 80 and 60 feet, with four and a half feet depth of water. We here have a more capacious water way, except in depth, than is found on our enlarged canals. The feasibility of

improving the depth of this channel will be discovered immediately upon the completion of the enlargement of the prism of the Oneida Lake canal. The enquiry then presents itself: what will be the effect, resulting from the enlargement of these locks, upon the canal revenues?

In presenting this view of the subject, the Auditor will be compelled to go more into detail, in order to present the facts clearly, than he would otherwise desire.

In 1862, the outward clearances at the Oswego and Phoenix offices, of boats coming south, were 7,059; and the return clearances at Salina, of boats going north to Oswego and other points, were 6,542. In that year, the whole number of tons cleared at Oswego and Phoenix, was 755,619, and at Salina, 307,794. These figures give an average of over 100 tons to each down or outward clearance, and nearly 49 tons on each return clearance. But it is not to be inferred from this statement that it represents the actual tonnage carried by each boat. Many of the return boats cleared at Salina were light, having no cargo. This could not be the case with all of them. The property shipped at Oswego and Phoenix, would constitute 4,723 cargoes at 160 tons each. There were, in 1862, at the Salina lock, 12,557 lockages, making 6,273 each way. There were, the same year, 22,052 tons of merchandise left on the Oswego canal, and 18,094 tons of it were destined to the Western States and Canada.

We know that boats of the smaller class will carry from 80 to 100 tons, and those of the larger class, 100 tons with only three feet and six inches draft of water. We also know that boats of the larger class returning from tide water, where they have delivered down cargoes, do not generally carry more than half cargoes, and their navigators do not desire to carry more, as the low rates of freight will not compensate for the loss of time on the return passage.

The enlargement of the locks on the Oneida Lake canal will open a rival and competing route to the Oswego and Erie canals, by a line twenty miles shorter than the present one, for all classes of boats now navigating the enlarged and other canals of the State, with a draft of three and a half feet.

The Auditor assumes, when the locks are enlarged :

1st. That all returned boats from tide water to Oswego, light or with cargoes of about one hundred tons, will take this route instead of the Syracuse route.

2d. That all boats cleared at Oswego and Phoenix and bound east of Higgins, whether light or with cargoes of about one hundred tons, will also take this route in preference to that by Syracuse.

3d. That the enlargement of these locks is only the initiatory step to the enlargement of the canal itself, from the Erie canal to the Oneida lake, of the dimensions of the Oswego canal, and deepening the water way channel of the Oneida river, from the foot of the lake to Three River Point, two and a half feet, which can be easily done by raising the dams, increasing the lift of the locks and excavating the bars in the river.

The extent of the diversion of traffic from the Erie and Oswego canals, and its effects upon the canal finances, can only be given by estimate which may exceed or fall short of the actual results; but, from the statistical facts above given, no one can doubt that the diversion will be very considerable, and the effect upon the canal revenues will extend far beyond the mere loss of twenty miles of toll on light boats returning from tide water, or any point east of Higgins, to Oswego.

In 1856, the toll receipts on the Oneida River improvement and the Oneida Lake canal, a distance of twenty-six miles, were \$37,674.82; mainly on property shipped from and delivered at Oswego, and upon the Oswego canal below Three River Point. These shipments, if carried upon the Erie canal between Higginsville, by the way of Syracuse and Three River Point, a distance of forty-six miles, would have paid \$66,655.45 of tolls. Difference of \$28,980.63. In 1857, the Canal Board adopted a resolution directing that tolls should be collected on the Oneida Lake route the same distances they were collected on the route by Syracuse. The effect of this regulation was to restore the traffic to the Syracuse route. This resolution was repealed or rescinded in the spring of 1858, by the Canal Board that came into office in January of that year. The Auditor does not believe the estimate is a high one when he puts down the loss of the State, in revenue, at \$160,000.00, during the seven years the Oneida Lake route was used as a competing route against the other by Syracuse. In support of the views here advanced, the Auditor respectfully refers to the Financial Report from this Department. (Assembly Document, No. 5, for 1864, pages 133 and 135). The Auditor cannot perceive what interest our fellow citizens, inhabiting the shores and country surrounding the Oneida lake, can

have in the enlargement of these locks without the enlargement of the canal; for, without the canal enlargement, their boats cannot come from the lake to the Erie canal with but little if any more tonnage than can be brought through the locks now or lately in use. The whole number of clearances issued at the collector's office on this canal in 1860, was only 672, and in 1861, 472; being an average of 3 in 1860, and 2 in 1861, per day of the navigation season. The receipts for tolls on this canal, for the years 1860, 1861 and 1862, fell short of paying the expenses of collection the same period, by \$1,391.32; and the Canal Board abolished the collector's office in the spring of 1863, and directed the tolls to be collected at the other offices.

The reason for the great falling off in tolls, compared with former years, was simply because the traffic from and back to Oswego was carried by the way of Syracuse, instead of the Oneida Lake canal. The Auditor does not understand that this enquiry relates to the question of rebuilding or repairing the locks on this canal of the present dimensions and capacity. Unless the further maintenance of the present canal be entirely impracticable, good faith to the parties who have vested interests upon the Oneida lake requires that this should be done. But it will be wholly impracticable to maintain a navigation for boats drawing three and a half feet of water, unless the obstructions of the bar in the lake,—outside of the blue line of the canal, and no more a part of it than the Hudson river is of the Erie,—are removed by break-water erections, and excavations by dredging.

Respectfully submitted.

N. S. BENTON, *Auditor.*

State of New York.

No. 78.

IN SENATE,

March 25, 1864.

COMMUNICATION

FROM THE BOARD OF STATE CANVASSERS, TRANSMITTING
THE OFFICIAL CANVASS OF THE VOTES CAST AT THE
ELECTION HELD ON THE 8TH DAY OF MARCH, 1864.

To the Legislature :

I have the honor to herewith transmit the result of the official canvass by the Board of State Canvassers, of the certified statements and returns of each county in this State, of the election held on the 8th day of March, 1864, in pursuance of the act entitled "An act to perfect an amendment of the Constitution providing for the vote of electors in the military service of the United States."

CHAUNCEY M. DEPEW,
Secretary of State.

State of New York: ss.

We, the Secretary of State, Comptroller, and Attorney General, having formed a Board of State Canvassers, and having canvassed and estimated the whole number of votes given in relation to the "proposed amendment in relation to absent electors," at an election held in said State on the 8th day of March, 1864, according to the certified statements of said votes, received by the Secretary of State, in the manner directed, pursuant to an act entitled "An act to perfect an amendment of the Constitution, providing for the vote of electors in the military service of the United States," passed February 13, 1864, do hereby determine, declare, and certify the result as follows, viz :

The whole number of votes given for the "proposed amendment in relation to absent electors," was three hundred and seven thousand, four hundred and thirty-five ; of which, the

[Senate, No. 78.]

whole number of votes given "For the proposed amendment allowing absent electors in the military service of the United States to vote," was two hundred and fifty-eight thousand, seven hundred and ninety-five.

And the whole number of votes given "Against the proposed amendment allowing absent electors in the military service of the United States to vote," was forty-eight thousand and seventy-nine.

In Cattaraugus county, there were *twenty-four* more votes cast and returned, in the whole number, than were cast "'for' and 'against' the proposed amendment in relation to absent electors in the military service of the United States to vote."

In Clinton county, there were *five* defective votes, which were not included in the whole number of votes, for the "proposed amendment in relation to absent electors." "Opposed to the amendment," received *one* vote. "No amendment," received *two*. "For the Constitution as it is," received *four*. "Not the proposed amendment allowing absent electors in the military service of the United States to vote," received *one*. "For the proposed amendment if the soldier be permitted to vote as he pleases," received *three*. "Opposed for the proposed amendment allowing absent electors in the military service of the United States to vote," received *one*. "For the proposed amendment allowing absent electors in the military service of the United States to vote," received *seventy-seven*. "For the proposed amendment allowing the President, Abraham Lincoln, to cast the full vote of absent electors in the military service," received *one*. "Against, for the proposed amendment allowing absent electors in the military service of the United States to vote," received *three*. "For the proposed amendment allowing absent electors in the military and naval service of the United States to vote," received *one hundred and twenty-three*. "Against the proposed amendment allowing absent electors in the military and naval service of the United States to vote," received *one hundred and five*. "Absent electors in the military service of the United States to vote," received *one*. "For the soldiers to come home and vote," received *two*. "Against the proposed amendment for the proposed amendment allowing absent electors in the military service of the United States to vote," received *nine*. "Blank," received *one hundred and sixty-one*. Defective, *one hundred and twenty-four*. Scattering, *one hundred and thirty-seven*. Blank and defective, *five*, and imperfect, *ten*.

Given under our hands, at the office of the Secretary of State, in the city of Albany, the 23d day of March, in the year one thousand eight hundred and sixty-four.

CHAUNCEY M. DEPEW,
Secretary of State.
 LUCIUS ROBINSON,
Comptroller.
 JOHN COCHRANE,
Attorney General.

State of New York: ss.

We, the Secretary of State, Comptroller, and Attorney General of said State, having formed a Board of State Canvassers, and having canvassed and estimated the whole number of votes given at an election held in said State, on the 8th day of March, 1864, in pursuance of an act entitled "An act to perfect an amendment of the Constitution providing for the vote of electors in the military service of the United States," do hereby declare, determine and certify, that the greatest number of votes given at said election, was for the "proposed amendment allowing absent electors in the military service of the United States to vote"

Given under our hands, at the office of the Secretary of State, of the said State, in the city of Albany, the twenty-third day of March, in the year of our Lord, one thousand eight hundred and sixty-four.

CHAUNCEY M. DEPEW,
Secretary of State.
 LUCIUS ROBINSON,
Comptroller.
 JOHN COCHRANE,
Attorney General.

STATE OF NEW YORK, }
 Office of the Secretary of State. }

I certify that I have compared the foregoing with an original certificate filed in this office, and that the same is a correct transcript therefrom, and of the whole of such original.

[SEAL] Given under my hand and seal of office, at the city of Albany, this twenty-fifth day of March, 1864.

CHAUNCEY M. DEPEW,
Secretary of State.

State of New York.

No. 79.

IN SENATE,

March 28, 1864.

GENERAL ORDERS.

363. An act to open, grade and improve Leonard street, in the city of Brooklyn.
364. (Assembly bill No. 112.) An act to provide for the purchase of a suitable burial ground in the village of Batavia, Genesee county, N. Y., and other purposes.
365. (Assembly bill No. 152.) An act to authorize the trustees of "The First Baptist Church and Society of the town of Shelby, Orleans county," to sell and convey their real estate.
366. An act to amend an act entitled "An act to incorporate the village of Richfield Springs, in the county of Otsego," passed March 30, 1861.
367. An act to permit the president and a majority of the directors of the Erie Railway Steamboat Company to make a certain certificate and a certain affidavit, and procure the same to be filed and recorded with same effect, except as to claims and demands now existing, as if heretofore made.
368. An act to punish unlawful interference with employees and employers.
369. An act to enlarge the powers of the Institute of Reward for Orphans of Patriots.
370. (Assembly bill No. 172.) An act to incorporate the Mechanics' Dime Savings Bank of the city of New York.
371. An act authorizing and directing the Canal Board to rebuild lock No. 2 on the Erie canal.
372. (Assembly bill No. 213.) An act in relation to repair contracts.

373. (Assembly bill No. 177.) An act to authorize the construction of a drawbridge over the Chemung canal, at Cross street, in the village of Elmira.
374. (Assembly bill No. 294.) An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1864.
375. An act to amend an act entitled "An act to incorporate the Port Morris Land and Improvement Company.
376. An act to incorporate the Iowa and Minnesota Homestead Company.
377. (Assembly bill No. 190.) An act to increase the fees of constables in civil cases.
378. (Assembly bill No. 126.) An act to amend chapter 322 of the Laws of 1863.
379. (Assembly bill No. 67.) An act to amend the 13th chapter of the Revised Statutes, entitled "Of the assessment and collection of taxes."
380. (Assembly bill No. 101.) An act authorizing the National Academy of Design, in the city of New York, to take by devise, real estate.
381. (Assembly bill No. 139.) An act to repeal chapter 391 of the Laws of 1860.
382. (Assembly bill No. 53.) An act to amend section 3d of article 1st, title 4 of chapter 8, part 3d of the Revised Statutes, "Of proceedings by and against corporations in courts of law."
383. (Assembly bill No. 33.) An act to amend chapter 404 of the Laws of 1863, entitled "An act in regard to certain officers in the several counties of this State," passed May 4, 1863.
384. (Assembly bill No. 352.) An act to enable the several towns in the county of Westchester to raise moneys, by tax, to defray expenses of procuring volunteers or substitute soldiers for the inhabitants thereof, drafted therefrom respectively into the service of the United States, in pursuance of the laws thereof, in the year 1863, and for other purposes.

385. An act in relation to the courts of oyer and terminer, and the courts of sessions, held in and for the county of Albany.

386. An act to provide for the election of a special county judge in and for the county of Monroe.

387. An act to legalize certain actions of the board of supervisors of the county of Monroe, and for other purposes.

388. (Assembly bill No. 66.) An act for the relief of Neil Stewart.

389. (Assembly bill No. 158.) An act approving and legalizing the action of the supervisor, town clerk and justices of the peace of the town of Oyster Bay, Queens county, in issuing four bonds of said town, of five hundred dollars each, numbered one, two, three and four, for the purpose of procuring substitutes for indigent men of family, drafted and accepted as soldiers from said town.

390. An act to provide for the settlement of arrears of personal taxes in the city of New York.

391. An act to amend an act entitled "An act to authorize the board of supervisors of the county of New York to raise money by loan, and to create a public fund or stock, to be called the "New York County Court House Stock," and to authorize the commissioners of the Sinking Fund to receive and purchase said stock," passed April 9, 1862.

392. An act in relation to securities deposited with the superintendent of the Insurance Department by life insurance companies incorporated under the laws of this State.

393. (Assembly bill No. 30.) An act fixing the time of opening the poll in Queens and Suffolk counties.

394. An act to amend an act entitled "An act to erect the village of Preston Hollow, in the county of Albany, into a separate road district," passed April 12, 1862.

395. (Assembly bill No. 108.) An act to incorporate the Izaak Walton Fishing Club, to supply the State reservoir at De Ruyter, Madison county, with fish, and to regulate the taking of the same therefrom.

396. (Assembly bill No. 123.) An act further to amend "An act to incorporate the Savings Bank of Utica."

397. (Assembly bill No. 42.) An act to authorize the appraisal and payment of damages to Patrick Moran, by reason of breaks in the Oneida feeder, in the years 1861, 1862 and 1863.
398. An act for the collection of unpaid taxes in the towns of Middletown, Castleton and Southfield, in the county of Richmond.
399. An act to amend an act "To establish a free school in district No. 3, in the town of Newtown, county of Queens," passed March 16, 1850, and to repeal an act amending the same, passed May 5, 1863.

State of New York.

No. 80.

IN SENATE,

March 29, 1864.

REPORT

OF THE CANAL BOARD IN ANSWER TO RESOLUTION OF THE
18TH INSTANT, RELATIVE TO THE ONEIDA LAKE CANAL
LOCKS.

STATE OF NEW YORK:

CANAL DEPARTMENT, }
ALBANY, *March 29, 1864.* }

To the President of the Senate:

Sir—By the directions of the Canal Board, I herewith transmit to the Senate the report of that Board in reply to the resolution of the Senate of the 18th instant, relating to the Oneida Lake canal locks.

I am, very respectfully, yours,
N. S. BENTON, *Auditor.*

CANAL DEPARTMENT, }
ALBANY *March 29, 1864.* }

To the Honorable the Senate:

The Canal Board, in answer to the following resolution of your honorable body, viz:

" STATE OF NEW YORK: }
" IN SENATE, ALBANY, *March 18, 1864.* }

" On motion of Mr. HUMPHREY:

" *Whereas*, The report of the State Engineer shows it to be impracticable to build enlarged locks on the Oneida Lake canal, on the present route; therefore

" *Resolved*, That the Canal Board, State Engineer, and the Auditor of the State, be each respectfully requested to transmit to the Senate such information as they may possess on the subject,
[Senate, No. 80.]

and an expression of their opinion upon the question; and that they be respectfully requested to report as early as Thursday, the 24th instant.

“By order of the Senate.

“JAMES TERWILLIGER, *Clerk.*”

Would respectfully refer the Senate to the reports of the Auditor of the Canal Department and State Engineer and Surveyor, which have been made to your honorable body, as the answer of this Board to the Senate.

Resolved, That the foregoing report be transmitted to the Senate by the Auditor, as the answer of this Board to the resolution of enquiry.

CANAL DEPARTMENT, }
ALBANY, *March*, 29, 1864. }

I certify the above to be a true copy of the proceedings of the Canal Board on the subject to which the same relates.

N. S. BENTON, *Auditor.*

State of New York.

No. 81.

IN SENATE,

March 31, 1864.

GENERAL ORDERS.

- 400. (Assembly bill No. 184.) An act in relation to insane persons in poor houses, alms houses, insane asylums, and other institutions, in the State of New York.
- 401. (Assembly bill No. 182.) An act to incorporate the Mutual Savings Bank of Auburn.
- 402. (Assembly bill No. 138.) An act to authorize the town of Northfield, county of Richmond, to raise money to macadamize a public road in said town.
- 403. (Assembly bill No. 116.) An act to require the Ilion and Cedarville Plank Road Company to change the location of their toll gate, located in the town of German Flats, county of Herkimer.
- 404. (Assembly bill No. 179.) An act to authorize the Jamaica and Brooklyn Plank Road Company to collect toll in certain cases.
- 405. An act to amend an act entitled "An act to revise the charter of the city of Buffalo, and to enlarge its boundaries," passed April 13, 1853.
- 406. (Assembly bill No. 231.) An act to amend the charter of the city of Syracuse.
- 407. (Assembly bill No. .) An act authorizing the common council of the city of Buffalo to lay out a public ground, for the purpose of maintaining and protecting the sea wall or breakwater along the shore or margin of Lake Erie.
- 408. An act relative to the surrogate's court and surrogate of the county of New York.
- 409. An act to amend chap. 404 of the Laws of 1863, in regard to the payment of moneys by officers under the excise laws,

410. An act to provide for a survey of the lines between certain towns in the county of Sullivan.
411. An act to facilitate the settlement of the affairs of certain insolvent corporations.
412. An act to amend section 7 of the act, entitled "An act in relation to proceedings in surrogates' courts, and to the fees of surrogates, and the compensation of executors and administrators, and to a clerk for surrogates," passed May 2, 1863.
413. (Assembly bill No. 205.) An act in relation to the fees of criers of courts of record of Onondaga county.
414. (Assembly bill No. 236.) An act for the relief of John B. Gourd.
415. (Assembly bill No. 266.) An act to authorize the board of supervisors of Rockland county to increase the compensation of constables attending courts of record therein.
416. An act to amend the charter of the French Benevolent Society of New York.
417. (Assembly bill No. 392.) An act to incorporate the trustees of the Masonic Hall and Asylum Fund.
418. (Assembly bill No. 348.) An act to authorize the trustees of the Roslyn Presbyterian Church and congregation to abandon and dispose of a part of the cemetery grounds belonging to said congregation.
419. (Assembly bill No. 45.) An act for the admission of Rudolph Mussehl to the Institution for the Blind.
420. (Assembly bill No. 455.) An act to incorporate the Wire Drawers' Protective and Benevolent Society of the city of New York.
421. (Assembly bill No. 211.) An act to authorize the town of Granville, in the county of Washington to elect one additional justice of the peace.
422. (Assembly bill No. 130.) An act to provide for the draining of the swamp on Beaver Dam brook and its branches, in the town of Montgomery, Orange county.
423. An act empowering certain towns in the counties of Cattaraugus and Erie to purchase and convey the right of way for railroad purposes.
- (216,) An act in relation to free schools in the city of Troy.

424. (Assembly bill No. 430.) An act to confirm and make valid and effectual the several proceedings taken to organize the union free school of the town of Ellicott.
425. (Assembly bill No. 372.) An act to authorize the supervisor of the town of Lowville to borrow money, and for other purposes.
426. An act for the relief of John Hutchinson.
427. (Assembly bill No. 98.) An act for the relief of Ephraim Owens and Henry Holman.
428. (Assembly bill No. 204.) An act authorizing the Canal Appraisers to hear and determine the claims of Luther T. Norton for damages, caused by the Erie canal enlargement.
429. (Assembly bill No. 187.) An act to authorize the Canal Appraisers to hear and determine the claims of Griffith D. Griffith and others, for damages caused by the improper construction of an aqueduct on the Black River canal.
430. (Assembly bill No. 221.) An act providing for the appraisal and payment of the damages of Marietta Fink, caused by the Erie canal enlargement.
431. (Assembly bill No. 452.) An act to incorporate the trustees of Candor Lodge, of Candor, Tioga county.
432. An act to legalize the official acts of Benton A. Thomas as notary public.
433. An act to confirm and legalize certain resolutions of the board of supervisors of Richmond county, and authorizing the levying of a tax upon the taxable property of said county, to repay the money borrowed under said resolutions.
434. An act for the relief of the Franklin Iron Works and others.
435. (Assembly bill No. 57.) An act to legalize the official acts of David L. Westover as justice of the peace.
436. (Assembly bill No. 143.) An act to confirm and legalize certain obligations issued by the city of Buffalo.
437. An act prescribing the compensation of justices of the peace and constables in the town of Watervliet, and the deputy sheriffs of the county of Albany residing in said town, and of police constables in the villages of West Troy, Cohoes and Green Island, in criminal cases, and for other purposes.

438. An act to amend section 146, of chap. 477, of the Laws of 1862, so as to equalize the exemptions among the military forces of this State.
439. (Assembly bill No. 381.) An act to provide for the payment of parties employed to enroll the citizens for the draft of 1862, and for other purposes.
440. An act in relation to police commissioners, police justices, and police officers, in the village of Cold Springs, in Putnam county.
441. (Assembly bill No. 200.) An act to incorporate the Alongshoremen's Union Protective Association of the city of New York.
442. An act in relation to State deposits by insurance companies, incorporated by or having agencies in the State of New York, and in relation to taxes, license fees, payable by companies in other States.
443. (Assembly bill No. 119.) An act in relation to the draining of certain swamp lands in the town of Shawangunk, Ulster county.
444. An act to amend chapter 478 of the Laws of 1859, relating to the Brooklyn eastern district fire department.
445. (Assembly bill No. 515.) An act amending and in addition to the act entitled "An act to supply the village of Watertown with pure and wholesome water, and for other purposes," passed March 22, 1853.
446. (Assembly bill No. 312.) An act in relation to the village of Nicholville.
447. (Assembly bill No. 485.) An act to regulate the manner of voting to raise taxes in the village of Glens Falls.
448. (Assembly bill No. 345.) An act to incorporate "Friendship" Engine Company No. 3, in the village of Winfield, in the county of Queens.
449. (Assembly bill No. 119.) An act to provide for the deepening of water channels in the towns of Somerset and Hartland, in the county of Niagara.
450. (Assembly bill 475.) An act for straightening Butternut creek and removing obstructions from its channel.
451. (Assembly bill No. 361.) An act to enable the Harlem and Spuyten Duyvil Navigation Co. to reduce their capital.
452. (Assembly bill No. 346.) An act to alter the names of certain streets in the village of West Troy.

453. (Assembly bill No. 159.) An act for the relief of Jehn Pad-dock.
454. (Assembly bill No. 255.) An act to provide for the appraisal and payment of damages of Nicholas C. Van Evera, Roof Van Eyera, Roof Van Evera & Nelson Powers, John Craig & Stewart Craig, Charles R. Kelly & David Quackenbush, and Samuel Morrell.
455. (Assembly bill No. 258.) An act to provide for the appraisal and payment of damages of Nicholas C. Van Evera, Roof Van Buren, Roof Van Evera & Nelson Powers, John Craig & Stewart Craig, Charles R. Kelly & David Quackenbush, and Samuel Merrell.
456. An act to permit the laying of gas pipes and mains in the turnpike, and for other purposes.
457. An act to authorize the rector, churchwardens and vestry-men of the Church of the Intercession, in the city and county of New York, to take and hold real estate by devise, and to fix the value of real and personal estate to be held by said corporation.
458. An act to amend section 7 of the act entitled "An act to authorize the levying of a tax upon the taxable property of the different counties and towns of this State, to repay moneys borrowed for or expended in the payment of bounties to volunteers, &c.," passed February 9, 1864.
459. An act authorizing the Commissioners of the Land Office to release to Shepherd Knapp all the right, title and interest of the people of the State of New York in and to certain lands in the county of Kings.
460. An act to incorporate Egberts Institute.
461. An act to donate to the Rensselaer Polytechnic Institute a collection from the duplicate fossils belonging to the State.
462. (Assembly bill No. 174.) An act to consolidate the several school districts within the corporate limits of the village of Owego, and to establish free schools in the same.
463. (Assembly bill No. 493.) An act to incorporate the American Literary Fund Association.
464. (Assembly bill No. 332.) An act authorizing the colleges therein named to take and hold real and personal estate.
465. (Assembly bill No. 357.) An act requiring officers of scientific and eleemosynary institutions to make annual reports.

466. (Assembly bill No. 432.) An act changing the time for holding the annual school meeting in district No. 16 of village and town of Delhi.
467. (Assembly bill No. 283.) An act to incorporate the Tom Moore Association.
468. (Assembly bill No. 295.) An act to authorize the superintendents of the poor of the county of Chautauqua to purchase a site and erect a hospital thereon, in the village of Dunkirk, and to abolish the office of overseer of the poor of the town of Dunkirk.

State of New York.

No. 82.

IN SENATE,

April 1, 1864.

COMMUNICATION

FROM THE ATTORNEY GENERAL, RELATIVE TO THE BILL
FOR THE RELIEF OF JAMES MORRISON AND OTHERS.

STATE OF NEW YORK:

ATTORNEY GENERAL'S OFFICE, }
ALBANY, *March 31, 1864.* }

To the Hon. the Senate :

I have the honor to acknowledge the receipt of the following resolution :

“ Resolved, That Senate bill No. 199, being an act for the relief of James Morrison and others, be referred to the Attorney General, with the request that he communicate his opinion to the Senate whether said bill is in conformity with the provisions of section 16, article 3, of the Constitution of the State, and report by Friday next.”

Section 16, article 3, of the Constitution of this State, is in these words: “No private or local bill, which may be passed by the Legislature, shall embrace more than one subject, and that shall be expressed in the title.”

From a careful examination of the bill accompanying the resolution, I am unable to find that there is more than “one subject” embraced therein; that for ascertaining the “damages occasioned by a breach in the canal, as specified in chapter 109 of the Laws of 1863.”

The combining of several claims, all proceeding from and relating to the same subject, in one bill, for convenience or other good cause, does not seem to me to be prohibited by the section of the Constitution referred to.

[Senate, No. 82.]

The title of the bill I think is defective, in its failure to state the single subject of the bill, in respect to which relief is intended for James Morrison and others named in the bill.

I think that such a title as the one following would render the entire bill unobjectionable, viz : "An act authorizing the rehearing and determination of the claims of James Morrison, Horatio N. Curtis, &c., (naming the persons and firms), alleged to have been caused by a breach in the Erie canal."

I am, very respectfully,

Your obedient servant,

JOHN COCHRANE,

Attorney General.

State of New York.

No. 83.

IN SENATE,

April 2, 1864.

GENERAL ORDERS.

469. An act to provide for the safe keeping of the old records in the public offices of the city and county of New York.
470. (Assembly bill No. 306.) An act to incorporate the Long Island City Water Company.
471. (Assembly bill No. 219.) An act authorizing the village of Hornellsville to cause the streets of said village to be lighted with gas, passed April 17, 1863.
472. (Assembly bill No. 443.) An act to amend an act entitled "An act to incorporate a company for the safe-keeping and delivery of valuable packages and property by means of fire and burglar-proof safes, to be located in New York," passed April 15, 1861.
473. (Assembly bill No. 555.) An act to incorporate the Beaverwyck Club of the city of Albany.
474. (Assembly bill No. 480.) An act to amend chapter 131 of the Laws of 1854, entitled "An act to declare the village of Ovid a separate road district."
475. (Assembly bill No. 286.) An act to incorporate the Americus Club in the city of New York.
476. (Assembly bill No. 309.) An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1847, so far as the same relates to the village of Mount Vernon, and to confer additional powers upon the trustees thereof," passed May 5, 1863.

477. (Assembly bill No. 518.) An act to authorize the construction of a road from the State prison at Clinton to the Ogdensburgh or Northern railroad.
478. (Assembly bill No. 129.) An act to amend chap. 245 of the Laws of 1859, entitled "An act to provide for the drainage of the lowlands lying between the Ridge road and the north line of the town of Hartland, in the county of Niagara."
479. (Assembly bill No. 77.) An act to legalize certain proceedings of the board of supervisors of Monroe county, in regard to bounties paid to volunteers, and to authorize the issuing of new bonds of said county for money borrowed to pay said bounties, and to provide for the raising of money upon the city of Rochester, to pay a portion of the bonds of said county, issued in 1862.
480. (Assembly bill No. 140.) An act to amend an act entitled "An act to provide for the registry of liens and incumbrances upon boats navigating the canals in this State," passed April 15, 1858.
481. An act to incorporate the Board of Trade of the city of Albany.
482. (Assembly bill No. 120.) An act to provide for the appraisal and payment of damages sustained by certain citizens of Palmyra by reason of the Erie canal enlargement.
483. (Assembly bill No. 365.) An act to authorize the Utica City Railroad Company to alter their name, and for other purposes.
484. (Assembly bill No. 464.) An act to consolidate the Boston, Hartford and Erie, the Boston, Hartford and Erie Extension, and the Boston, Hartford and Erie Ferry Extension Railroad Companies.
485. (Assembly bill No. 146.) An act relative to the Albany railway.
486. (Assembly bill No. 319.) An act to repeal an act entitled "An act to incorporate the Hector and Catharine Turnpike Road and Bridge Company." passed April 15th, 1823, and the act amending the same, passed April 18th, 1826, and also another act amending the same, passed April 21st, 1831.
487. (Assembly bill No. 217.) An act to incorporate the "Cambridge Valley Water Company."

488. (Assembly bill No. 265.) An act to repeal an act entitled "An act to amend an act entitled 'An act to incorporate the village of Bainbridge, in the county of Chenango,' passed February 14th, 1863;" and to amend the act entitled "An act to incorporate the village of Bainbridge, in the county of Chenango," passed April 21st, 1859.
489. (Assem. bill No. 538.) An act for the relief of Joel Wheaton.
490. An act to incorporate the Musical Mutual Protective Union.
491. (Assembly bill No. 239.) An act to repeal an act entitled "An act relating to the jail and penitentiary in the county of Kings," passed April 18th, 1862.
492. (Assembly bill No. 378.) An act for the more effectual protection of speckled or brook trout in the county of Niagara.
493. (Assembly bill No. 376.) An act to enable the electors of the town of German Flats, in the county of Herkimer, to vote by districts for town officers and for all other officers elected at a general or special election, as provided by law.
494. (Assembly bill No. 449.) An act to authorize the Penn Yan, and Branchport Plank Road Company to change their road to stone or gravel.
495. (Assembly bill No. 230.) An act to provide for the payment of certain expenses of the trustees of the State road from the Orange turnpike to Nyack, in the county of Rockland.
496. (Assembly bill No. 375.) An act to open, extend and improve Courtlandt avenue, in the town of Morrisania, county of Westchester, New York, and the appointment of commissioners therefor.

State of New York.

No. 84.

IN SENATE,

March 19, 1864.

REPORT

OF THE STATE ENGINEER AND SURVEYOR RELATIVE TO THE
EXTENSION OF THE CHENANGO CANAL.

STATE OF NEW YORK:

IN SENATE.

ALBANY, *March* 19, 1864. }

Resolved, That three hundred copies of the State Engineer's
Report for the extension of the Chenango canal of 1860 be printed
for the use of the Senate and Assembly.

By order of the Senate.

JAS. TERWILLIGER, *Clerk*.

REPORT.

OFFICE OF THE STATE ENGINEER AND SURVEYOR, }
ALBANY, *January 10th*, 1860. }

To the Hon. the Legislature of the State of New York:

The undersigned, in obedience to the act, chapter 88, Laws of 1859, requiring of the State Engineer and Surveyor an examination, survey, &c., of a line for the extension of the Chenango canal from Binghamton to the State line, near Athens, would respectfully submit the following

REPORT.

In proceeding under the act, on the first day of July last, I appointed Orville W. Childs, Esq., a civil engineer, to the general supervision of the surveys, estimates, and other duties involved. A party was organized, and the surveys were made the past season. The estimates have since been completed, and the report of the engineer is hereunto annexed, from which it appears that the length of the line as located, or of the new work necessary to complete the extension as contemplated by the act, is $38\frac{48}{100}$ miles, and its estimated cost is \$829,488.21.

The report fully describes the line, and the character and extent of the work required to be done to complete the extension, and gives evidence of the care and skill bestowed, as well in making the surveys, as the estimates of its cost.

After crossing the Susquehanna at Binghamton, in the pool of a dam, the line is wholly inland through a country generally favorable for the construction of a canal, except at some points where high lands compelled a location along the shore of the river, rendering protection wall necessary.

From a personal examination of the ground previous to the survey, and a careful review of the estimates, I am of the opinion that the amount reported as the cost of constructing the canal, is as correct as is practicable; and with no material increase in the price of provisions, materials and labor, above those of the past season, on which the estimates are based, it is believed it would

prove sufficient to complete the work on the plans alluded to in the report, which are substantially the same as those adopted in the original construction of the Chenango canal, and which I consider more practical and economical, having regard to the extent of business, &c., than any other.

In the estimate of the probable increase of business that would result from the construction of the extension canal, a more extended northern traffic in coal from the Wyoming and Barclay mines, and the transportation of ore and limestone from the Chenango valley, south, is mainly relied upon.

The ability of the proprietor of these mines to compete successfully in this and other northern markets, with coal from other sources, is fully discussed in the report, and favorable conclusions arrived at. Return freight of ore to the various iron works requiring it, and limestone for agricultural and other domestic uses, would tend to reduce the cost of transportation and increase the freight, and thereby add materially to the tonnage of the canal.

From a visit to the Barclay Railroad and Coal Company's works, in July last, it appeared obvious that this company is prepared to do a much larger business than they have hitherto done. Their road appeared substantially built and in good order. The fixtures at the mines, and facilities for mining, are quite perfect, and sufficiently extensive to enable the company to forward a large amount of coal, and with great economy. Their coal is semi-bituminous, and said to be quite free from sulphur and other impurities which affect unfavorably some other bituminous coals. Although their operations, to any considerable extent, are of comparatively recent date, as far as the coal has been tested, it is said to sustain a good reputation. Sufficient time, however, has not elapsed to enable the company to introduce it as extensively, and to establish for it the reputation to which it probably is justly entitled.

The coal of the Wyoming valley is anthracite, and of good quality. The collieries are quite numerous, and favorably situated with reference to convenient shipment of coal on the North Branch canal.

The tables contained in the report show the quantity of coal shipped from the mines on to the State canals at Elmira, and the quantity that has entered the State at all other points, and the per cent. of increase from year to year since 1849. They also contain other information relating to the coal trade of this State, and

of Pennsylvania, which furnish a fair basis for estimating the probable future increase in the traffic of this article, and the increased amount of ore, limestone, &c., that would be taken from the former for use in the latter State.

The method adopted, and the calculations employed in estimating the probable increase of business, are fully stated in the report; and the deductions, showing that the business of the extension, together with the increased business, that its construction would furnish to the other State canals, would be sufficient to produce a toll of \$40,927.68, appear to be consistent and judiciously made.

The extension of the Chenango canal would form an important connection of the canals of this State, with those of Pennsylvania, as well in facilitating the interchange of the articles of coal, &c., above referred to, as the numerous other articles for which a demand would be created, and that would, through this channel, be supplied.

The growing importance of the coal trade is indicated by the annual increase in the quantity, and the gradual diminution in the prices of the coal that has hitherto entered the State; and with these borne in mind, also that this extension canal would, if constructed, lie in the line, and would open a communication the most direct between the coal fields of Pennsylvania and the markets, that will be furnished by a large portion of the eastern and middle, and the whole of Northern New York; and that a large proportion of the articles of coal and lumber would pay toll on a distance over six times greater, and ore and limestone on a distance three times greater than the length of the extension canal, its capabilities, were it now constructed, of producing tolls, and its future importance, it is believed, would be more fully conceded.

VAN R. RICHMOND,
State Engineer and Surveyor.

ALBANY January 10, 1860.

Hon. VAN R. RICHMOND,

State Engineer and Surveyor :

Sir—I herewith submit the report of the examinations, and of the survey of the line as located for the extension of the Chenango canal from Binghamton to the State line of Pennsylvania, made in conformity with your direction, and pursuant to act, chap. 88 of the Laws of 1859.

The act above referred to requires the State Engineer and Surveyor “to make a full examination of the survey of the Chenango canal from Binghamton to the State line of Pennsylvania, near Athens, made in pursuance of the act of April 18th, 1838, and reported to the Canal Commissioners by Joseph D. Allen, civil engineer, Dec. 5th, 1838;” “and if necessary, to cause a new survey to be made, and to estimate the cost of constructing said canal, including land damages, and the probable increase of business on the canals of this State from such extension (from coal or other freight,) and report the same to the next Legislature at the opening of the session thereof.”

Having early in July last accepted the appointment, as principal assistant, in the discharge of the services required of the State Engineer and Surveyor, by the act, I immediately thereafter accompanied you in a tour of examination of the country embracing the several lines surveyed by Mr. Allen; also in an examination of the maps, profiles and estimates reported by him to the Board of Canal Commissioners in 1838. From these examinations it became apparent that the requisitions of the act could not be fairly carried out without a re-survey; and that the valley on the south side of the river furnished the best facilities for the economical construction and maintenance of a canal.

From the report of Mr. Allen, it appears that two lines were surveyed and located by him, one on the northerly, and another on the southerly side of the Susquehanna river, extending from the Chenango canal, in the village of Binghamton, down the valley of the Susquehanna to the State line. For that on the

northerly side, two branches or lines, commencing at different points, crossing the Chenango river by different plans, and converging to a common point in the valley four and one-half miles below, was surveyed. One diverged from the Chenango canal near the upper or north side of the village at Lewis' basin, and after crossing the Chenango river by an aqueduct, and proceeding one-half a mile, it connected with the line surveyed for the feeder through which it was to receive its supply of water from the Chenango river at Crooker's mills, a point six miles above. The other diverged from the Chenango canal at the lower or southerly side of the village, at the level immediately above the present terminating or river lock, and after crossing the Chenango river in the pond of a dam located across that stream at its junction with the Susquehanna, it passes along the margin of the Susquehanna, a distance of three and one-half miles, when deflecting to the right, it passes inland, and connects with the north line in a further distance of one mile.

By the adoption of the upper line, on the plan of crossing the Chenango river with an aqueduct, the canal was to be supplied to the State line with water drawn through a feeder, as before stated, six miles in length; and with the lower line, on the plan of crossing the Chenango river in the pond of a dam, the supply to the State line was to be drawn from the river into the canal at the point of leaving the pond. The adoption of this plan of crossing the Chenango river would destroy the water power used by the mills located at the first dam above.

The distance from the Chenango canal to the State line of Pennsylvania, as appears from the report of Mr. Allen, is $39\frac{1}{8}$ miles, and its estimated cost, including the feeder, is \$788,149.68.

The distance by the lower line is 40 miles, and its estimated cost is \$765,683.09.

The line surveyed by Mr. Allen on the south side of the Susquehanna river, diverged from the level of the present canal above the second lock from the river, and deflecting to the left, crossed the Susquehanna river with an aqueduct 19 feet in clear height above the surface of low water, and 476 feet in length.

A feeder $\frac{4}{7}$ mile in length, from the Susquehanna river at the Rock Bottom dam, situated $\frac{3}{8}$ miles above the location of the aqueduct, was designed to supply the canal with water to the State line. This dam now elevates the water four feet, and the plan contemplated an additional elevation of the surface of the

pond of two feet. This increased elevation would be necessary, and although it would enhance the value of the water power at the dam, the feeder would constitute a large item in the aggregate cost of the canal, owing to the expensive protection of its high banks rendered necessary by exposure to the floods of the river, nearly the entire distance from the dam to its connection with the canal immediately below the second lock.

The entire length of this south line from the diverging point in the second level of the present canal above the river, in the village of Binghamton, thence (as before stated) across the Susquehanna and to the State line, as appears from the report, is 38 $\frac{1}{2}$ miles, and its estimated cost, including the feeder, is \$770,467.35.

The margin of the Susquehanna river, at several points on both sides, is bounded in some cases by precipitous hills, and in others by elevated table lands, presenting, in close proximity to the water line, an almost vertical face, rendering it impracticable to so locate the canal as not to require, for short distances, more or less slope wall protection to the outer (in most cases) high banks.

Since the survey and location of these lines in 1838, the New York and Erie railroad has been constructed on the north side of the river, and now so occupies the ground between these high projecting points and the river, as would increase the cost of constructing the canal on that side very much, beyond what it would have cost previous to the construction of the road. These, in connection with other considerations, were deemed sufficient to justify the conclusion that the survey of a line on the south side only would be necessary.

In the latter part of July last a surveying party was organized, consisting of Messrs. W. W. Jerome, Mason Loomis, John Evans, and seven other persons. This party was placed under the immediate direction of W. W. Jerome, who commenced the survey at Binghamton, on the fourth day of August, and continued in the field until the 21st day of October last.

In seeking the best method of extending the canal across the Susquehanna river, a line was first surveyed (substantially the same as adopted by Mr. Allen in his report), commencing at the foot of the third lock from the river, on the plan of raising that level of the present canal two feet, and crossing the Susquehanna river with an aqueduct, 716 feet in length, together with a line

for a feeder from the Susquehanna river at the pond of the Rock Bottom dam, on the plan of raising said pond two feet. This feeder would have a length of $1\frac{5}{100}$ miles, of which $\frac{75}{100}$ miles would be constructed along the nearly vertical face of the bank of the river, and would require protection; the remainder would be inland to its connection with the canal, immediately below the second lock, at a point $\frac{56}{100}$ miles below the aqueduct, or $1\frac{2}{100}$ miles below the point of divergence from the second level of the present canal.

The line, as ultimately located and embraced in the estimate presented by Mr. Jerome, commences at a point in the level of the present canal, six chains above the head of the lower lock, or ten chains from the point formed by the junction of the two rivers; thence curving to the left, and passing a lock of six feet lift, it enters the river immediately below the north end of the river bridge, and crosses the Susquehanna, in the pool of a dam, to be so obliquely constructed across the stream as to give it a length of 1026 feet. This dam is located in an average depth of three feet water; it is to elevate the surface of the Susquehanna at this point eight feet, and the present surface of the pond of Rock Bottom dam two feet, an elevation precisely equal to that contemplated for the feeder by Mr. Allen, in his report on the plan of crossing the Susquehanna, with an aqueduct. A towing path bridge attached to the present road bridge over the river, and a guard lock at the point leaving the pool of the dam will be necessary.

As the water power at the Rock Bottom dam above would, by this plan, be destroyed, the expense of substituting steam power to the mills now located upon it, is embraced in the estimate.

The propriety of adopting this method of crossing the river will be better appreciated by a comparison of the estimated cost of the two plans. In this comparison, the cost of either line from the diverging point of both, down to the connecting point of the two, on the farm of Christopher Eldridge, Esq., is embraced—

1st. On the plan as adopted, of crossing the Susquehanna in the pond of dam; the length of the new canal is 47 chains. The cost as per aggregate of estimate of section No. 1, is \$58,266.70.

2d. On the plan of crossing the Susquehanna with an aqueduct; the length of new canal would be 87 chains. The cost, as per estimate, in detail, including feeder, &c., is \$140,623.90,

Thus showing that the plan as adopted, of crossing the Susquehanna by means of a dam, would, as nearly as can be estimated, cost less than that of crossing it with an aqueduct, by the sum of \$82,367.20; and the length of new canal would be less by forty chains.

The height of the dam is such as will give to the stream a large transverse sectional area of flow; the current will thereby be rendered moderate, and the crossing with boats practicable and safe.

From the guard lock, the line as surveyed occupies the valley of the river to the State line of Pennsylvania; it is located with unusual care, and with the exception of the precipitous points before alluded to, where the location of the canal is unavoidably such that a portion of its outer bank is brought within the limits of the stream, the valley, in respect to contour of surface, cannot but be regarded as favorable, and in most other respects furnishes unusual facilities for the construction of a canal.

The material necessary for the mechanical structures consists mainly of lumber and stone. The present price of sawed pine lumber, delivered at the several landings along the river, ranges from \$10 to \$11, and that of oak at about \$13 per M., B. M.

From a careful examination of the points at which stone may be obtained, it is ascertained that greywacke of a durable character may be procured from quarries within a distance of from one to three miles from the location of the structures for which they would be required. This stone is of the same species as that used in the construction of the locks, aqueducts, &c., on the Chenango canal. They may be procured of large size and good shape, and although the cost of quarrying may prove something in excess of the average of limestone quarries, the descending road and other conditions of transport are favorable.

The cement required for hydraulic masonry is another considerable item in the aggregate cost of mechanical structures. That used in the construction of the Chenango canal was hauled in wagons by teams from the manufactories, or from the nearest points on the Erie canal to the location of the several structures along the entire length of that canal; while the cement required for the structures on the Chenango canal extension may be transported by canal and railroad to points on the New York and Erie railroad nearly opposite the several structures requiring it for use.

The estimates are based upon the same dimensions of prism and banks of canal, plan of mechanical structures, and general character of work, as was adopted in the construction of the Chenango canal, except in some few cases of slight modification, in which improvement in permanency is obtained without increasing the expense.

For a more full knowledge of the contour of the surface and character of the soil occupied by the line as located, the number, kind, and estimated cost of the several mechanical structures required, and of the items, quantities, and estimated cost of the necessary earth work, &c., reference may be had to the maps and profiles of the line, prepared by Mr. Jerome, and herewith transmitted, and to his report hereunto annexed; from which it appears that the length of the Chenango canal extension, from the point of divergence on the first level, above the lower or last lock of the present canal, in the village of Binghamton, to the State line of Pennsylvania, near Athens, is $38\frac{482}{1000}$ miles; that the aggregate descent or total lockage is 71 feet, and that the estimated cost, including engineering, land, and land damages, and all other contingencies of cost in construction, is \$829,488.21.

The termination of the line, as surveyed for this extension, is directly at the south margin of the river, at a point on the State line convenient for locking into the pond that may be formed by constructing a dam across the Susquehanna, a little above the northerly end of the village of Athens.

This village is situated on the narrow strip of land, extending down between the Susquehanna and Chemung rivers, which unite about three-fourths of a mile below the village. The North Branch canal is inland for several miles below and opposite the village, and is on the west side of the Chemung river. Proceeding northerly, it passes into the pond of a dam now extending across the Chemung nearly opposite that proposed to be constructed across the Susquehanna. A short cut across the flat, in a natural ravine north of the village, would form the canal between the two rivers, and with a towing-path bridge across the Susquehanna, or other practicable means of crossing the pond of the dam, and the construction of a towing-path along the southerly margin of the river up to the State line, a good connection would be formed between the Chenango canal extension and the North Branch canal. This latter canal is understood to be the property of incorporated companies, whose interest in the con-

nection of the two canals is supposed to be at least sufficient to induce them to construct this connecting link, either by the mode above suggested, or upon such other plan as they may deem best adapted to the object in view.

The distance from the State line to the North Branch canal is understood to be about (or something less than) four miles, and upon the plan above suggested, of a towing path, dam, &c., and the cut about half a mile in length across the point between the two rivers, the aggregate expense of constructing this portion of the canal would be comparatively small, and that the work will be prosecuted and the canal completed by these companies, at least as soon as that of the Chenango canal extension, very strong assurances by some of the principal officers and by the most prominent and wealthy of the stockholders of the North Branch canal, were voluntarily expressed. The importance of this connecting link to the ultimate success of the Chenango extension, will be readily appreciated, and cannot but be regarded as indispensable. Its construction, therefore, will be assumed as already completed, and the distance as constituting a part of the connection, in considering the increase of business on the canals of this State, resulting from the construction of the extension of the Chenango canal "from Binghamton to the State line of Pennsylvania, near Athens."

The increase on the tonnage of freight that will by reason of this extension be transported on the canals of this State, will consist mainly in the articles of coal, iron ore, lime and limestone, and lumber; an increase will also be realized, though less in extent, from the transport of other articles, consisting of agricultural products, merchandize, lumber, salt, gypsum, &c.

In attempting to present some general view of the "probable increase of business," it is not deemed improper briefly to refer to the connections that would be formed by said extension, and to the locality and probable direction of movement of the principal items of freight to be transported.

At its northeasterly termination it connects with the Chenango canal, leading to the New York Central railroad and the Erie canal, by which connections are formed with the Hudson river and the Champlain canal, the Black river canal, the Oneida lake canal, and at Syracuse with the Oswego canal, leading to the city of Oswego and Lake Ontario. At its southwesterly termination in the village of Athens, it connects with the North Branch canal,

extending in a southerly direction through the State of Pennsylvania, thus forming a water communication with Havre de Grace at the head of the Chesapeake bay, and a connection with the West Branch canal, the Juniata and other canals and with the numerous railroads diverging from it in the valley of the Susquehanna. From Athens, in a northerly direction, it reaches the State line in a distance of four miles, where it connects with the Junction canal, extending eighteen miles to the New York and Erie railroad and the Chemung canal at Elmira, and thence through the Chemung canal, Seneca lake, and the Cayuga and Seneca canal, a connection is formed with the Erie canal at Montezuma.

- On the North Branch canal, sixteen miles below Athens, is the village of Towanda, the terminating point of a railroad extending fourteen and one-third miles up the valley of the Towanda and Schroeder creeks, to the foot of the self-acting and other planes, which in a further distance of about two miles reaches the Barclay Railroad and Coal Co.'s mines, being immediately adjoining and forming a part of the extensive semi-bituminous coal fields of that section of the State of Pennsylvania.

Ninety-one miles below Athens the North Branch canal reaches the Wyoming valley at the flourishing village of Pittston, and in a further distance of nine and three-fourths miles, the already large and growing town of Wilksbarre.

From Binghamton, the valley of the Susquehanna, for a distance of 61 and a half miles, or to a short distance below Towanda, is broad; it is in a high state of cultivation, and is very rich in its agricultural productions. From a little below Towanda, the river, with scarcely any valley, passes through a more hilly region, a distance of about 72 miles to Pittston, opposite which it enters as before stated, the broad valley of the Wyoming, extending in a southwesterly direction, down the Susquehanna about twenty miles. At Pittston, it receives the Lackawanna creek, the valley of which is also broad, and extends up that stream in a northeasterly direction about 27 miles to the village of Carbondale; thus, in connection with the Wyoming, forms a continuous valley about 47 miles in length, which being underlaid with coal throughout its entire length, constitutes a large portion of the great anthracite coal region of Pennsylvania.

Three veins, as is understood, underlie this entire valley, cropping out on either side at various points on the face of the hills. Of these, one has a thickness of from 20 to 28 feet.

From the dimensions given of this anthracite coal field, it may very properly be regarded as practically inexhaustible. The coal is of good quality, and in this respect ranks with others of the first class coals, and already the facilities for mining and delivery of coal to a good navigable canal, are scarcely anywhere surpassed.

At present coal is more extensively mined and delivered to the North Branch canal at Pittston and Wilksbarre; mining operations, however, are in progress at various other points in the valley, above and below, as well as intermediate these places, on the east side; also, at several points on the west side of the river. The anthracite coal that would ultimately pass through the Chenango canal extension, must principally be obtained from the mines of the Wyoming valley. Coal from these mines, although lying on the north Branch canal, 95 miles below the State line, would, it is believed, with the use of the Chenango extension, compete successfully in the eastern market, with coal reaching upper tide water in the Hudson from other sources, and by other routes.

The competition in the delivery and sale of this article, that would result from the extension, would probably be sufficient materially to reduce the prices of coal throughout the middle and all northern New York, east of the meridian of Durhamville on the Erie canal, and more especially in the valley of the Susquehanna between Binghamton and the State line, and along the entire length of the Chenango canal, and its vicinity.

The price of coal in market is not in all cases wholly governed by its original cost, added to that of mining, transportation, &c. Coal from mines first opened and delivered in market under the favorable circumstances of cheap mining, short transit, &c., may, in the absence of competition, be held at rates as high, or sold at profits so large, as to admit a successful competition by coal, subsequently delivered in the same market, from mines more remote, involving greater cost in its delivery, and although sold at a less price, yet not without remunerating profits.

The Delaware and Hudson company, owing to the proximity of their mines, their comparatively early commencement of the traffic, and great facilities of transit, enjoyed for many years, substantially a monopoly of the anthracite coal trade in the valley of the Hudson river, more especially above Rondout, the terminus of their canal, and furnished supplies to these markets

at rates so high as enabled them to maintain a market value for their capital stock very much above par.

The more recent introduction of coal from the Wyoming valley and from other sources to the same markets, although under disadvantages of greater distance, has resulted in a reduction of prices at most points other than those at which it is first placed in boats or transferred from railway cars for shipment on the canals.

The following statement, compiled mainly from the tonnage reports on file in the Canal Department, shows the number of tons, (2,000 pounds,) the estimate value per ton, and the total value of the coal shipped at each office; and total tons, average value per ton, and total estimated value of the coal shipped at all of the offices on the State canals during each year from 1849 to 1858 inclusive.

TABLE A.

	1854.				1855.				1856.				1857.			1858.		
	Tons shipped at	Price per ton.	Value at each office.	Tons shipped at	Price per ton.	Value at each office.	Tons shipped at	Price per ton.	Value at each office.	Tons shipped at	Price per ton.	Value at each office.	Tons shipped at	Price per ton.	Value at each office.	Tons shipped at	Price per ton.	Value at each office.
New York.....	9,225	.....	\$26,898	9,946	\$5 00	\$49,732	11,565	\$5 00	\$57,824	15,277	\$5 00	\$76,390	13,589	\$5 00	\$67,943			
Albany.....	26,843	\$6 00	161,061	23,409	6 00	140,453	31,204	5 00	156,019	27,843	5 00	139,217	17,221	5 00	86,107			
West Troy.....	56,703	6 00	340,213	62,281	6 00	373,686	99,923	5 00	499,614	72,070	5 00	360,347	62,223	5 00	311,113			
Schenectady.....	35	5 00	175	110	6 00	660	509	5 00	2,546	1,021	5 00	5,105	37	5 00	185			
Fultonville.....	720	6 00	4,320	34	6 00	202	71	6 00	424	.....	.....	.....	499	5 00	2,494			
Little Falls.....	173	5 00	865	172	6 00	1,032	399	6 67	2,662	626	5 00	3,130	53	4 51	239			
Utica.....	1,441	6 00	8,644	1,958	6 00	11,752	1,345	5 00	6,723	1,004	6 00	6,027	3,338	5 00	16,689			
Syracuse.....	48	6 00	288	13	6 15	80	263	6 00	1,578	193	6 00	1,168	14,428	5 00	72,138			
Jordan.....	.....	.....	.....	23	6 00	138	.....	.....	.....	.....	.....	.....	8,780	4 00	35,121			
Monteruma.....	42,950	5 00	214,748	52,682	6 00	316,094	.....	.....	.....	.....	.....	.....	56	4 00	223			
Lyons.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Palmyra.....	117	5 00	585	.....	.....	.....	155	5 00	775	.....	.....	.....	.....	.....	.....
Rochester.....	5,076	6 00	30,456	2,473	5 00	12,362	2,259	5 00	11,294	1,983	5 00	9,917	2,533	5 00	12,663			
Brockport.....	5	10 00	20	78	10 00	782	35	.....	700	12	6 00	72	.....	.....	.....
Albion.....	5	8 00	40	.....	.....	.....	36	7 00	252	75	5 00	375	715	4 00	2,860			
Medina.....	.....	.....	.....	.....	.....	.....	54	6 72	363	.....	.....	.....	.....	.....	.....
Lockport.....	.....	.....	.....	2	6 00	12	.....	.....	.....	.....	.....	.....	.....	.....	.....
Black Rock.....	.....	.....	.....	70	6 00	420	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tonawanda.....	85	6 00	510	.....	.....	.....	.....	.....	.....	3	5 00	15	.....	.....	.....
Buffalo.....	14,657	6 00	87,942	10,888	7 00	76,216	9,810	6 93	68,157	14,026	5 00	70,130	16,259	4 50	73,167			
Waterford.....	9,089	6 00	54,536	16,007	6 00	96,044	8,258	6 00	49,547	37,777	4 00	151,108	51,706	5 00	258,530			
Schuylerville.....	118	7 00	826	126	7 00	882	.....	.....	.....	64	6 00	381	.....	.....	.....
Whitehall.....	82	6 45	530	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Edward.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Salina.....	.....	.....	.....	.....	.....	.....	1	4 00	.....	.....	.....	.....	.....	.....	.....
Phoenix.....	.....	.....	.....	.....	.....	.....	731	5 00	3,655	759	5 00	3,795	688	5 00	3,443			
Oswego.....	835	7 00	5,845	.....	.....	.....	736	5 00	3,680	80	6 00	480	303	4 70	1,424			

Although great accuracy in the estimate of value of the coal, as given in the reports from the several offices at which it is shipped, is scarcely claimed, it sufficiently indicates its general value, and shows, as will be seen by observing the columns of prices, for the several years, a diminution in value, while the quantities from year to year have generally increased.

The Delaware, Lackawanna and Western Railroad and Coal Company, now send coal from their mines at Scranton, on their road, to the N. Y. and Erie railroad at Great Bend, thence on the latter road to the Chenango canal and the Syracuse and Binghamton railroad, at Binghamton, and to Owego, and over their railroad, the Cayuga and Susquehanna, to Ithaca, at the head of Cayuga lake.

Of this coal, the quantity shipped the past season on the Chenango canal, at Binghamton, as ascertained from the collector of canal tolls at that place, was 56,288 tons; and on the Syracuse and Binghamton railroad to Syracuse, about 60,000 tons; the quantity forwarded from Binghamton to Owego, and across to Ithaca, the Cayuga lake, &c., though considerable, is not ascertained.

This being the principal if not the only anthracite coal now distributed along these several thoroughfares, the citizens are without the benefit of competition, and prices the past season ruled higher in that portion of the Susquehanna valley and along the southern and middle portion of the valley of the Chenango canal, than at several points on the Erie canal, where this coal comes in competition with others from the Wyoming valley, and other sources. In confirmation of this remark, a single instance may be specified. Coal, from the mines at Scranton, is sold at Binghamton at the rate of \$3.50 to \$3.75 per ton by the car load, and \$4 to \$4.25 per single ton. At Syracuse, by the larger quantity, for purposes of manufacturing salt, the price per ton has been \$3 for large lump, and \$3.10 for large egg, at the railroad companies' docks, delivered in canal boats for distribution among the several works; for domestic purposes, the prices at Binghamton and Syracuse appear to be about the same, notwithstanding it is delivered at the latter place at an expense of nearly \$1 per ton greater than at the former.

Of the coal from the mines at Scranton, shipped on the Chenango canal at Binghamton the past season, a small quantity reached the Buffalo market, while of that from the Barclay mines

shipped at Towanda, a portion reached Binghamton, via the North Branch canal, the Junction, Chemung, Cayuga and Seneca, Erie and Chenango canals.

As the Barclay mines lie nearer to the Chenango extension than any others, of bituminous coal, the quantity that would reach the eastern market through this very direct channel, would probably be larger from this than from any other bituminous mines; this quantity would further depend on the character of the coal and the facilities of mining and delivering into canal boats at Towanda.

In relation to these important points, the board of directors in a report to the stockholders in 1857, remark: "The coal is semi-bituminous and corresponds with the Cumberland and Broad Top coals. It is peculiarly well adapted for generating steam, and is in high favor with iron workers, while many give it a decided preference as a house fuel. The vein is six feet in thickness, and lies above water level, in nearly horizontal strata, but having sufficient dip to drain the mines without the expense of pumping." And in relation to facilities of transit they say: "One cent per mile is a liberal estimate for the cost of carrying coal over the road with its favorable descending grades, consequently about 16½ cents per ton would be the cost of the coal, exclusive of its value, in the mines, and the cost of mining and placing it in the railway cars."

The general superintendent, James McFarland, Esq., in his annual report to the president of the company in 1858, describes this coal "as containing a large percentage of carbon, very little volatile matter and bitumen, with but little ash; it burns freely and without much smoke, and is well adapted for steam purposes and the manufacture of iron, when a strong blast and great heat are required. It contains carbon 81 to 85 per cent, volatile matter 11 to 15, ash 3, or thereabout. Also, that it burns out clear, leaving but little clinker. No other fuel has been used in our locomotives than coal from our own mines."

Again, in 1859, the superintendent, in stating its qualities for generating steam, says: "It ignites very readily, burns with a bright, cheerful blaze, and being free from sulphur, it does not injure the boilers, deposits no soot upon the flues, and has great heating and evaporating power. It has been successfully used in steamboats, as well as under stationary engines; in the manufacture of salt and glass; for heating purposes in distilleries and

factories; for burning lime, and in locomotive engines, rolling mills and forges, and has given good satisfaction to all our customers."

I would here remark that I have been favored with copies of twenty-nine certificates, from gentlemen residing in different parts of the State, based upon tests made by them, and bearing high testimony to its good, and in most instances to its superior quality, for the several purposes above named, in which might be included general smithery, and in the manufacture of paper, &c.

In relation to its economy and adaptation for use in locomotive engines, F. Leech, Esq., superintendent of motive power on the Susquehanna and western division of the New York and Erie railroad, in a report to the president of that road, says of its economy, after a careful test for several months, on 96 miles of that road, that it proved 47 and three-tenths per cent cheaper than wood, reckoning the cost of the former at \$2.70 per ton, and the latter at \$3 per cord, all delivered in the tender. And in regard to its general quality, he says: "I have no hesitation in stating that it is decidedly superior to any other we have tried; our experiments for shop use have shown it to be almost entirely clear of sulphur, and the absence of clinker or slag in the furnaces of the locomotives, indicates it to be clear of the injurious impurities which have proved objectionable in the coal used in our previous trials."

The quantity of coal cleared north, the past season, at the office of the North Branch Canal Company, at Athens, previous to the 31st Oct. last, was 68,513, of which 50,031 tons were anthracite, from the Wyoming valley, and 18,482 tons were bituminous, from Tonawanda; of the latter about one-fourth, as stated by the superintendent of the Barclay R. R. and Coal Co., stopped south of Montezuma; about one-fourth passed west, and the remaining east of Montezuma; of this latter quantity about 8,000 tons reached Troy and Albany. Although the destination of the former is not stated, it is presumed that at least a proportion equal to the above reached the Erie canal and an eastern market.

In relation to the business of the North Branch canal the past season, previous to October 31st, the general agent of the company, D. Mitchell, Esq., in his communication, remarks that it embraces "only about four months of navigation, as the opening "of our line north was delayed by the repairs of the Chemung

canal locks, until after June 1st, and we lost full one month by breaks; so that we cannot regard this year's work as any criterion for the future, as we should, with a full season have more than doubled our trade this year; and anticipate that it will be quadrupled the next season."

With reference to arriving at more reliable conclusions, or aiding the judgment in determining the prospective relative ability, based on the profits of the several companies owning coal mines, to deliver coal to the docks at Albany, the following table is given, showing the name of the place at which coal is shipped by canal, the minimum selling prices established by the several companies respectively, at said places, (excepting that at Hawley;) the length of railway transit from the mines to the places of transfer to canal boats severally; the cost of railway transit; amount reserved for value of coal in mines; cost of mining, &c., and for profits; distances and cost of transport from the several places to, and the total cost per ton at Albany.

Name of places at which coal is shipped by canal.	Minimum selling prices at places of shipment (per ton).	Length of railway tran- sit from the several mines to the places of shipment (miles).	Cost of railway transit (per ton).	Leaving for value of coal in mines; cost of mining and for profits (per ton).	Distance from the seve- ral places to Albany, (miles).	Cost of water transit in 1859, including tolls (per ton).	Total cost, per ton, in Albany.
Pittston.....	\$1 10	.....	.....	\$1 Estim'd	via exten'n 341	\$2 56	\$3 66
Towanda	1 75	16½	17c	1 58	" 266	1 87	3 62
Binghamton	2 55	62½	62c	1 93	via Utica 207	1 45	4 00
Hawley.....	1 98	45	40c	1 58	via Rond't 160	1 90	3 88

The cost at Albany, as shown in the statement, is of course varied by the difference in cost of transport from the several points named, as well as by the value of coal fixed by the proprietors in the mines; which governs the minimum selling price at the several points of transfer from railway cars to canal boats.

At Pittston, the selling price of prepared coal is \$1.10 per ton; to this is added, in the table, for transportation to Athens, 81 cents, the price uniformly paid, as is understood, the past season. From Athens to Albany the distance is reckoned via the Extension, Chenango and Erie canals; and in the statement the same price is allowed, or in proportion to the distance, as was paid the past season on the present route, via Elmira, Montezuma, &c., which was a fraction over 7 mills per ton per mile.

By this route the benefit of the navigation of a longer distance of enlarged canal would be realized; but an offset to this is found in the greater hazard and expense of passing the Seneca lake, as compared to an equal distance of canal; and the higher toll charged on the Junction canal, which is 15 cents per ton for a distance of 18 miles, while, on an equal length of State canal, it would be one cent and eight mills; making a difference in this respect against the economy of this route of a fraction over 13 cents per ton.

The distance, then, from Athens to Albany, being 250 miles, 7 mills per ton per mile would amount to \$1.75, and including that from Pittston to Athens, would be \$2.56, and adding selling price at Pittston, would give for the whole cost at Albany \$3.66 per ton. At Towanda the selling price fixed by the company, as before stated, is \$1.75; the transportation to Albany, 266 miles, at 7 mills, amounts to \$1.87; these added give as the actual cost at Albany, \$3.62, and by deducting 17 cents, the cost of railway transit, leaves for coal in the mines, cost of mining, &c., and profits \$1.58, or about 58 cents more than is charged for the same items at Pittston. So, at Binghamton, the minimum selling price being \$2.55, which added to the cost of transportation on the canal at the same rate for 207 miles, gives \$4 as the cost per ton at Albany; but deducting from this minimum price at Binghamton, 62 cents for the cost of railway transit leaves for value of coal in the mines, mining, &c., and profits, \$1.93, or 83 cents greater than at Pittston.

The Pennsylvania Railroad and Coal Company's road extends from their mines at Pittston, 45 miles, to Hawley, on the Delaware and Hudson canal; it has an ascent and descent of about 2,250 feet, which is overcome by 22 planes operated by stationary steam power and by gravity. From Hawley the coal is taken on the Delaware and Hudson canal to the Hudson river, at Rondout, thence to market in either direction on that river. The toll charged for coal on that canal is understood to be variable, and is half of the excess of the market price at Rondout, above \$2.50. This market price having averaged about \$3.70 half the excess would amount to 60 cents per ton.

The price represented in the table as the minimum at Hawley, was not fixed by the Penn. R. R. and Coal Co., whose coal alone is transhipped at this point, but was fixed by allowing that company the same amount for the value of their coal in the mines, for mining, &c., and for profits, as is claimed by the Barclay R.

R. and Coal Co., for the same items, and allowed them in the statement, and adding thereto 40 cents per ton, or a fraction less than 9 mills per ton per mile, a sum understood to be the exact cost of transporting their coal 45 miles over their road ; also 80 cents per ton, the uniform charge the past season for freight (exclusive of toll), from Hawley to Rondout, 99 miles ; for tolls on the Delaware and Hudson canal, 60 cents, the average of the past season, and for transportation on the Hudson river about sixty-one miles, to Albany, 50 cents, the uniform charge on this portion of the distance. Making, together, the cost at Albany, as stated in the table, \$3.88 per ton. The quantity sent to market the past season by this company is not ascertained.*

To further illustrate the table, or the relative ability of the several companies to sustain a competition in the Albany market, based upon profits, the value of coal at Albany is assumed at \$4.50 per ton ; this would leave to the several companies for the value of their coal in the mines, for the expense of mining, &c., and for profits, the sums shown in the last column of the following table :

COAL FROM—	Assumed value in market per ton.	Cost in market per ton.	Profits on sales per ton.	Profits including value in mines, cost of mining, &c., p'r ton.	Total profits, including value in mines, cost of mining, &c. per ton.
Pittston	From \$4 50	Deduct \$3 66	84 cents.	Add \$1 09	= \$1 84
Towanda	" 4 50	" 3 62	88 "	" 1 58	= 2 46
Binghamton	" 4 60	" 4 00	50 "	" 1 98	= 2 43
Hawley	" 4 50	" 3 88	62 "	" 1 58	= 2 20

Thus showing if the expense of transportation on the several routes is correctly calculated, (and being based mainly on the actual prices paid the past season, it is not understood how they can be relatively or materially in error,) then the coal from Towanda, Pittston, or the Wyoming Valley, via the Chenango extension, &c., can compete successfully with that from Pittston and Scranton, via Hawley and Binghamton.

The latter mines are taken for the comparison for the reason that they are believed to be at least as capable of competing in the Albany and northern or Champlain market, as coal from any other mines.

* Since the above was put in type, the following has been received :
The total amount of coal brought down, says the Rondout Courier, on the canal by the Delaware and Hudson company last year, was 590,999.19 tons. The amount brought down by the same company in 1858, 348,789.5 tons. More in 1859 than in 1858, 252,209.69 tons. The coal carried by the canal boats of the Pennsylvania company last year, amounts to 685,732.15 tons. That carried by that company the year before, 627,146.6 tons. More last year, 58,585.55 tons.

Coal is forwarded by the Delaware and Hudson Canal Company from their mines in the upper portion of the Lackawana Valley, over their railroad and canal to the Hudson river at Rondout, but as is presumed, not under circumstances more advantageous than those of the Pennsylvania Railroad and Coal Company, judging only from the quantity the former company send forward as compared with the latter.

The number of tons forwarded by both of these companies, from 1849 to 1858 inclusive, may be understood by reference to the tables given in a subsequent part of this report, which show an increase in the quantity shipped by the Pennsylvania Company in 1858 over that shipped by them in 1850 of a fraction over 467 per cent. and a diminution of that shipped in 1858 by the Delaware and Hudson Canal Company below that shipped by them in 1850, of a fraction over 21 per cent, and that in the season of 1858 the former company shipped 282,183 tons, or over 81 per cent more than the latter.

Shamokin coal is brought to Elmira on the Williamsport and Elmira railroad, a distance from the mines, of about 140 miles, and transhipped into canal boats. The quantity thus shipped from this source in the season of 1859, was about 26,427 tons.

The distance from Elmira to Utica, via Montezuma and the Erie canal, is 179 miles, and from Elmira via the Chenango extension to Utica, would be 162 miles. Difference in distance in favor of the latter route is 17 miles. With the tolls on the Junction canal reduced to those of the State canals, it is believed that a portion of the Shamokin coal destined for market at and east of Utica, would take this route. The quantity, however, would be too indefinite under the circumstances to justify at this time an attempt at any estimate with reference to specifying the amount of freight from this source to be relied upon to increase, by means of the extension, the business of the State canals.

In addition to the present quantity of coal shipped from Blossburg over about 40 miles of railroad to Corning where it is transferred to canal boats, is that to be obtained from a new mine, the property of John McGee, Esq., which is to be reached by a railroad some four to six miles in length, extending from the present road at Blossburg to the mines. This coal is bituminous, and represented to be of a very superior quality. The proprietor is making extensive preparations with reference to a large business the ensuing season; it is to be forwarded by

railroad to Jefferson, at the head of Seneca lake, a distance from the mines of 76 miles, where it is to be placed in boats adapted to the navigation of the Seneca lake, the enlarged canal, Hudson river, &c., and are to be towed in fleets by a steamer especially designed for that purpose.

Although the distance from these mines via the Junction canal, Chenango extension, &c., to Utica, is less than via Jefferson, Montezuma, &c., to the same place, by about five miles, their geographical position, direction of their outlets, and other circumstances, entitle them, with reference to the extension, to considerations similar to those given to the Shamokin coal.

It may be remarked, however, that the distance from Pittston via the Chenango extension, &c., to Utica, is about one mile less than from the McGee mines to the same place via Jefferson, Montezuma, &c., and about 95 miles less than from Shamokin to Utica via Elmira, Jefferson, Montezuma, &c.

Having shown that coal from the Wyoming valley and from the Barclay mines, would, with the use of the Chenango canal extension, successfully compete with coal from whatever source it can be furnished; and being satisfied that it would be extensively introduced, and would tend to lessen prices throughout the large sections of the State, to which allusion has been made, and believing that coal from these mines, iron ore, and limestone from the northern portions of the Chenango valley, will together constitute the principal items of increase of freight on the canals of this State, resulting from said extension; it is deemed important to ascertain as far as practicable, the amount of this freight that would be thus furnished, and that would not otherwise move on the State canals; also, the amount of tolls it would produce.

In endeavoring to approximate, as nearly as may be, to a correct estimate of these quantities, the following table has been prepared, mainly from official tonnage reports of the Canal Department, showing the tonnage, tolls, and estimated value of the coal and iron ore moved on the Chenango canal, the proportions of their tonnage, tolls, &c., to the whole tonnage and tolls, &c.; also, in a more condensed form than is given in the former table, the total tonnage and value, and the total tolls received for coal on all the State canals from 1849 to 1858, together with other statistics in relation thereto, as indicated in the heading of the several columns.

B.—CHENANGO CANAL.

YEAR.	COAL.					TOLLS.			COAL, ORE, STONE, LIME, CLAY, LUMBER, TONNAGE, TOLLS, &c., &c.						
	Total coal shipped at Binghamton.	Total coal shipped at Binghamton, Oxford and Hamilton.	Value of coal at places of shipment (per ton).	Estimated total value of coal at places of shipment.	Total tolls received for coal at Binghamton, Oxford and Hamilton.	Total tolls received on all freight at Binghamton, Oxford & Hamilton.	Ratio of toll received at the three offices, on coal, to the whole toll received at these offices.	Total coal left on the Chenango canal.	Total stone, lime and clay cleared at Binghamton, Oxford & Hamilton (tons).	Total tolls received on stone, lime and clay, at Binghamton, Oxford and Hamilton.	Total tons iron ore arrived at Binghamton.	Total tolls received on iron ore that arrived at Binghamton.	Total tons of lumber shipped at Binghamton, Oxford and Hamilton.	Total tolls received on lumber shipped at Binghamton, Oxford and Hamilton.	
1849	\$15,792	.....	.....	.....	.....	.....	.....	.....	.....	.....
1850	16,392	.....	.....	.....	.....	.....	.....	.....	.....	.....
1851	13,871	.....	.....	.....	.....	.....	.....	.....	.....	.....
1852	11,901	.....	.....	.....	.....	.....	.....	.....	.....	.....
1853	15,271	.....	.....	.....	.....	.....	.....	.....	.....	.....
1854	14,498	.....	.....	.....	.....	.....	.....	.....	.....	.....
1855	15,875	.....	.....	.....	.....	.....	.....	.....	.....	.....
1856	16,003	.....	.....	.....	.....	.....	.....	.....	.....	.....
1857	15,429	.....	.....	.....	.....	.....	.....	.....	.....	.....
1858	12,406	.....	.....	.....	.....	.....	.....	.....	.....	.....
1859

TABLE B.—CHENANGO CANAL—(Continued).

YEAR.	COAL, ORE, STONE, LIME, CLAY, LUMBER, TONNAGE, TOLLS, &C., &C.								COAL FROM OTHER STATES.		COAL AT HUDSON RIVER, TONNAGE, VALUE, &C.			
	lime and clay shipped at Binghamton, Oxford and Hamilton, ton.	Total tolls received on coal, ore, lime, &c., shipped at Binghamton, Oxford & Hamilton, ton.	Ratio of tonnage of coal, ore, stone, lime, &c., to the whole tonnage at the three offices.	Ratio of toll rec'd on coal, &c., at Binghamton, Oxford and Hamilton, to whole toll rec'd at these offices.	Total tonnage of all freight on the Chenango canal, cleared at Binghamton, Oxford and Hamilton.	Total estimated value of all freight at the three offices.	Total tolls received at all the offices.	Total coal that arrived at Buffalo and Tonawanda from other States.	Total coal ascending Erie and Champlain canal from tide water (tons).	Total tons coal arrived at Hudson river from canals.	Estimated value per ton of coal arrived at Hudson river from canals.	Estimated total value of coal in Albany & Troy arrived at the Hudson river from the canals.		
1849	.....	.....	.....	.....	36,557	\$1,106,791	\$25,721	1,495	37,531	12,585	\$4 50	\$56,633
1850	.....	.....	.....	.....	41,892	1,174,065	24,627	3,999	46,722	16,073	5 66	90,951
1851	.....	.....	.....	.....	40,307	1,078,403	22,022	4,230	67,204	13,055	4 50	58,753
1852	.....	.....	.....	.....	44,939	1,440,623	18,988	5,898	69,923	7,411	5 00	37,052
1853	16,418	\$1,690	36 1/4	14 2-10	76,538	1,999,803	22,439	10,413	95,333	15,137	5 00	75,685		
1854	50,975	4,840	66 6-10	31 7-10	77,142	1,556,623	21,494	15,548	92,801	42,902	8 98	385,415		
1855	64,431	6,298	83 5-10	43 4-10	89,390	1,981,774	21,831	10,338	95,746	18,033	5 95	107,456		
1856	70,266	6,698	78 6-10	42 2-10	105,502	2,284,391	21,818	9,730	142,692	27,079	5 00	135,397		
1857	79,332	7,300	75 2-10	45 6-10	96,722	2,395,088	20,277	14,094	116,211	14,080	5 00	70,400		
1858	76,948	7,296	79 5-10	47 3-10	72,526	1,856,266	16,916	16,389	93,070	14,736	5 00	73,681		
1859	58,957	5,623	81 2-10	45 3-10	.....	.....	.....	.....	.....	.....	.....	.....

YEAR.

Although great accuracy in the estimate of value of the coal, as given in the reports from the several offices at which it is shipped, is scarcely claimed, it sufficiently indicates its general value, and shows, as will be seen by observing the columns of prices, for the several years, a diminution in value, while the quantities from year to year have generally increased.

The Delaware, Lackawanna and Western Railroad and Coal Company, now send coal from their mines at Scranton, on their road, to the N. Y. and Erie railroad at Great Bend, thence on the latter road to the Chenango canal and the Syracuse and Binghamton railroad, at Binghamton, and to Owego, and over their railroad, the Cayuga and Susquehanna, to Ithaca, at the head of Cayuga lake.

Of this coal, the quantity shipped the past season on the Chenango canal, at Binghamton, as ascertained from the collector of canal tolls at that place, was 56,288 tons; and on the Syracuse and Binghamton railroad to Syracuse, about 60,000 tons; the quantity forwarded from Binghamton to Owego, and across to Ithaca, the Cayuga lake, &c., though considerable, is not ascertained.

This being the principal if not the only anthracite coal now distributed along these several thoroughfares, the citizens are without the benefit of competition, and prices the past season ruled higher in that portion of the Susquehanna valley and along the southern and middle portion of the valley of the Chenango canal, than at several points on the Erie canal, where this coal comes in competition with others from the Wyoming valley, and other sources. In confirmation of this remark, a single instance may be specified. Coal, from the mines at Scranton, is sold at Binghamton at the rate of \$3.50 to \$3.75 per ton by the car load, and \$4 to \$4.25 per single ton. At Syracuse, by the larger quantity, for purposes of manufacturing salt, the price per ton has been \$3 for large lump, and \$3.10 for large egg, at the railroad companies' docks, delivered in canal boats for distribution among the several works; for domestic purposes, the prices at Binghamton and Syracuse appear to be about the same, notwithstanding it is delivered at the latter place at an expense of nearly \$1 per ton greater than at the former.

Of the coal from the mines at Scranton, shipped on the Chenango canal at Binghamton the past season, a small quantity reached the Buffalo market, while of that from the Barclay mines

shipped at Towanda, a portion reached Binghamton, via the North Branch canal, the Junction, Chemung, Cayuga and Seneca, Erie and Chenango canals.

As the Barclay mines lie nearer to the Chenango extension than any others, of bituminous coal, the quantity that would reach the eastern market through this very direct channel, would probably be larger from this than from any other bituminous mines; this quantity would further depend on the character of the coal and the facilities of mining and delivering into canal boats at Towanda.

In relation to these important points, the board of directors in a report to the stockholders in 1857, remark: "The coal is semi-bituminous and corresponds with the Cumberland and Broad Top coals. It is peculiarly well adapted for generating steam, and is in high favor with iron workers, while many give it a decided preference as a house fuel. The vein is six feet in thickness, and lies above water level, in nearly horizontal strata, but having sufficient dip to drain the mines without the expense of pumping." And in relation to facilities of transit they say: "One cent per mile is a liberal estimate for the cost of carrying coal over the road with its favorable descending grades, consequently about 16½ cents per ton would be the cost of the coal, exclusive of its value, in the mines, and the cost of mining and placing it in the railway cars."

The general superintendent, James McFarland, Esq., in his annual report to the president of the company in 1858, describes this coal "as containing a large percentage of carbon, very little volatile matter and bitumen, with but little ash; it burns freely and without much smoke, and is well adapted for steam purposes and the manufacture of iron, when a strong blast and great heat are required. It contains carbon 81 to 85 per cent, volatile matter 11 to 15, ash 3, or thereabout. Also, that it burns out clear, leaving but little clinker. No other fuel has been used in our locomotives than coal from our own mines."

Again, in 1859, the superintendent, in stating its qualities for generating steam, says: "It ignites very readily, burns with a bright, cheerful blaze, and being free from sulphur, it does not injure the boilers, deposits no soot upon the flues, and has great heating and evaporating power. It has been successfully used in steamboats, as well as under stationary engines; in the manufacture of salt and glass; for heating purposes in distilleries and

1858, inclusive, over the three former was, 298,464 tons; equal to $37\frac{8}{10}$ per cent, or $12\frac{6}{10}$ per cent per year. A considerable reduction is also observed in the prices from 1855, (when it averaged \$5.67,) down to 1858 when it was \$4.33, a difference of \$1.34 per ton, or a fraction over 23 per cent less in 1858 than in 1855.

The proportion of the tonnage of coal on the Chenango canal, to the tonnage of coal on all of the canals, appears to have been about 14 per cent in 1854, and '5; and that it gradually diminished to about 10 per cent in 1858, while the proportion of tolls received for coal on the same canal to the tolls received for coal on all the canals, has fallen from $11\frac{1}{2}$ per cent, in 1853, to $9\frac{6}{10}$ per cent in 1854, when it increased gradually to $10\frac{8}{10}$ per cent in 1858; this, while it shows a relative diminution in the quantity from the Chenango canal, it at the same time shows an increase in the distance moved, and a market more widely extended, as compared with that of the coal of the other canals, or that from other sources.

From a statement received from A. C. Lanning, Esq., of Wilkesbarre, giving the number of mines worked, the names of the several proprietors, and the quantity mined by each during the past season, it appears that there are in operation 37 collieries, from which there was mined and shipped on the North Branch canal, during the season of 1859, 497,400 gross tons of anthracite coal, of which only 50,031 tons were forwarded to this State via the North Branch and Junction canal to the Chemung canal at Elmira, and that the proprietors of these collieries are now prepared and would, with a sufficiently encouraging market, mine and ship on the North Branch canal during the season of 1860, "1,160,000 tons."

The Barclay Railroad and Coal Company could hitherto scarcely be regarded as fully in operation. The amount forwarded over their road to the canal at Towanda, in 1858, as appears from the statement of James McFarland, Esq., their superintendent, was 16,000 tons, and in 1859, 30,000 tons, of which only 18,482 tons, as before stated, passed the collector's office at Athens, on its way to this State. Their road, machinery and mines appear to be in good working order, and although the quantity shipped in 1859 was less than double that of 1858, (a year of the early use and interrupted employ of the road, added to the delays consequent upon seeking and introducing their coal

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November, and in view of the more full preparations and increasing permanency of the North Branch canal, now quite new, it is believed, that the quantity that would be sent forward next season, were the extension constructed and available for use, might safely be assumed at 100,000 tons.

The annual average quantity of ore taken from the Clinton mines (9 miles south of Utica) to Scranton, for the manufacture of iron at that place during the last six years, including 1859, is 23,847 tons.

This ore is procured from veins of from 2½ to 3 feet in thickness, which are being worked at various points, on a section of some 6 to 8 miles in length. Although their width is not ascertained, yet the quantity of ore is supposed to be inexhaustable. It is delivered at the banks of the canal at from \$1 to \$1.25 per gross ton, and carried in return coal boats to Binghamton, at from 60 to 75 cents per ton, and taken thence on the Delaware, Lackawana and Western railroad to Scranton, where it is mixed with other ores, procured, as is supposed, at a less cost as return freight from New Jersey.

At Bloomsburgh, 38½ miles below Wilkesbarre, there are several furnaces; and at Danville, 13 miles still further down, are situated the Montour works and other less extensive iron manufactories. The ore used at these establishments is understood to be procured in part from Lebanon county near the Union canal, and Laurie's creek on the west branch of the Susquehanna, distant severally about 90 and 100 miles. Ore is also obtained in part near the furnaces, but subject to heavy expense for mining, and several miles of land carriage, in its delivery to the works.

I have assurances from intelligent gentlemen that the present cost of ore at Bloomsburg, is sufficient to justify the "payment of \$3, and upwards, per ton, for the Clinton ore," and from one of the principal proprietors of the Montour works, with a knowledge of the facilities, that the construction of the extension would furnish, that the Montour works would at once take 30,000 tons, and that other works would take as much more, and that together these quantities would, in three years, be increased to 100,000 tons.

With the use of the extension, ore from the Clinton beds might be delivered at Bloomsburgh, for less than \$3 per ton.

Ore is now being brought from Lake Superior, as appears from the communication from D. Mitchell, Esq., in which he remarks,

that owing to the causes "before stated, iron ore from Lake Superior, of which we anticipated large shipments, failed to go forward, except to a limited extent, only a few hundred tons being forwarded to Danville."

Not having visited these works, and in the absence of a knowledge of the precise quantity of iron manufactured by them, and of the proportion of Clinton ore that they would use, I am unable to estimate it with that degree of confidence I desire. Judging, however, from the comparative extent, the present cost of ore used by them, and such other information as I have been enabled to obtain, I am of the opinion they would use, exclusive of that which would be required by new works which might be erected, about two and one-third times the quantity of this ore, that is now used at Scranton.

Without relying upon an increase by new erections; and taking as a basis the average amount used at the Scranton works during the past six years, viz: 23,847, and increasing it in the above ratio, would give 55,643 or say 55,000 tons as the quantity that would, were the extension completed, annually be taken from the Clinton ore beds for the manufacture of iron in and below the Wyoming valley.

LIMESTONE.

This article is not found in the valley of the Susquehanna above Bloomsburgh; it is here found in abundance, and in localities convenient for use as a flux in the manufacture of iron at and below that place; none will therefore be taken over the extension, except for agricultural and other domestic uses, and this, as far down as Towanda, except in cases of being shipped in return coal boats, when it would probably be taken as low as Pittston and Wilksbarre.

The quantity annually brought to Binghamton from Oriskany Falls for these purposes, has probably averaged about 2,300 tons; this, as ascertained from the canal Collector at that place, is the quantity received at Binghamton the past year, and probably has not in previous years varied materially from this amount. This does not include the quantity used in other parts of the valley above the immediate vicinity of Binghamton and south of Hamilton. The annual average number of tons of stone, lime and clay cleared at the Hamilton, Oxford and Binghamton offices during the seven years, from 1852 to 1858, (inclusive,) was 4,176 tons.

Admitting the increased quantity that would be forwarded from Oriskany Falls to be in proportion to the increased length of canal navigation from Binghamton to Towanda, or 59 miles, then the quantity that would be shipped at Oriskany Falls, and pass through the Chenango and the extension canals to the State line would be 3,677 tons.

PINE LUMBER.

The quantity shipped on the North Branch canal the past season previous to October 31st, was "4,173,591 feet, b. m., most of which went south." The quantity shipped on the Chenango canal at Binghamton during the season of 1859, was 1,179,490 feet b. m.; the number of tons shipped at Binghamton, Oxford and Hamilton, from 1849 to 1858, is given in table B.

The annual average number of tons of boards, plank and scantling shipped at Binghamton, Oxford and Hamilton during the five years preceding 1859, was 7,921, estimated equal to 5,280,666 feet b. m., per year.

While engaged in the survey, pine lumber was noticed in considerable quantities at the several landings along the river, designed to be conveyed in arks and rafts, in time of freshets, to a southern market. With the extension completed, it is presumed that a large proportion of this lumber would be shipped on this and the Chenango canal to an eastern market.

The average number of rafts annually sent down the Susquehanna river, as ascertained from sources entitled to credit, is "300, each containing about 65 to 75 M. feet, and 50 arks, carrying each about 45 to 55 M. feet," making the whole quantity thus sent yearly from that portion of the valley between Binghamton and Athens, equal to about $23\frac{1}{2}$ millions feet board measure, "and that this surplus will continue to be sent off for many years to come."

It is evident that the country adjoining that portion of the valley from Binghamton to Towanda contains a much larger proportion of lumber than does that adjoining the valley of the Chenango, which has had a navigable canal for the past twenty-three years.

Allowing the increase in the quantity that would pass from the extension through the Chenango canal, to an eastern market, to bear the same ratio to the above average quantity that the length of the extension bears to the length of that portion of the Chenango canal, on which the above quantity was shipped, and the

increased quantity would be 2,995,000 feet, board measure, which, from considerations above stated, may, it is believed, with propriety be increased to 4,500,000 feet, board measure. This is considerably less than would probably be realized for the first few years; but, in view of the prospective decrease in the shipment of subsequent years, it may not be considered too low.

To complete the extension would require about three years. As the additional quantity of coal before estimated is that which would be forwarded next season, were the extension finished and available for use, it is entitled to be increased for the time occupied in constructing the canal by the ratio of increase of the quantity that entered the State during the three years previous to 1859, over the three former years, which, as already stated, was 37 8-10 per cent. Of this quantity it is estimated that about 50,000 tons would reach the valley of the Hudson river, and the remainder would furnish tolls on an average distance equal to that from the State line to Utica.

The ore and limestone appear from the tables to be more uniform in respect to the quantities used in the several successive years; and were the works at Bloomsburg and Danville similarly conditioned in respect to supply to that at Scranton, where all of the ore hitherto forwarded on the Chenango canal to Binghamton, was used, the table would furnish no evidence of the propriety of calculating upon any material increase from year to year, beyond the quantity that would be required the first year of the opening of the navigation of the extension canal; and, although it is represented by persons familiar with these works, that the quantity would be increased beyond that, which, in their judgment, would be taken the first year, I do not deem it prudent to assume a larger quantity than before stated.

Recapitulating the items and estimated amount that would form part of the probable increase of business on the canals of this State, from such extension, and calculating the tolls at the rates at present established for the several distances, to which each item would be entitled, gives the following results:

Coal.—100,000 tons, increased as above, 37 8-10 per cent.=137,800 tons. Toll from State line to Utica, 135½ miles, at one mill per ton per mile..... \$18,671 90
Toll on 50,000 tons from Utica to the Hudson river, 105 miles, at one mill per ton per mile 5,250 00

<i>Iron ore.</i> —Toll on 55,000 tons from Clinton to State line, 126½ miles, at one mill per ton per mile	\$6,957 50
<i>Lime, &c.</i> —Toll on 3,677 tons from Oriskany Falls to State line, 116½ miles, at two mills per ton per mile	858 74
<i>Boards and scantling.</i> —Toll on 4,500,000 feet, board measure, from State line to Albany, 245 miles, at five mills per M. feet per mile	5,512 50
	<hr/>
	\$37,248 64
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Deducting the tolls received at Binghamton, Oxford and Hamilton, on coal, ore, limestone and clay, and on lumber, during the five years, from 1854 to 1858, inclusive, averaged for one year, from the whole tolls received at these offices during the same period, also averaged, for one year, and allowing that the extension canal would produce an amount of toll equal to that part of the Chenango canal embracing the three offices, in proportion to its length, and we have for the tolls that would be received on the extension (exclusive of the four items above excepted), the sum of \$3,679.04, which, added to the estimated amount above stated, gives \$40,927.68 as the total additional tolls that would be received and entitled to be credited to the account of the extension canal, were it constructed, and that would not otherwise be received.

This, as already stated, allows that the extension canal would be equally productive of tolls in proportion to its length, as is the Chenango canal south of Hamilton, on all articles except the four items above deducted. As the country bordering the extension is similar, if not superior, in its capabilities of agricultural and other productions, to that bordering that portion of Chenango canal, taken in the calculations, and as the surplus (which would consist of the variety of articles of freight usually transported on canals) that would find its way on to the other State canals, would probably (the longer movement offsetting competition by the New York and Erie railroad) produce tolls as large in proportion to its length as was hitherto received from the Chenango canal, the method adopted in estimating the tolls that would be realized from the transportation of all articles of freight (other than those above excepted) on the extension canal, is regarded as entitled to confidence.

The rapidly increasing traffic in coal, and the prospective increase in its future demand, together with the long distances that this article and that of lumber would, after passing the extension canal, be moved on the other State canals, also the long distances that iron ore and limestone would be so moved, not only justifies the foregoing calculations and the conclusions arrived at in regard to the amount of business that would be done upon it, and the toll it would produce, but should attach to it a degree of importance that could only be appreciated by a knowledge of its location, the relation it would sustain to other canals as a connecting link, and of the large amount of coal it would be the medium of annually introducing for consumption in this State.

Respectfully submitted,

O. W. CHILDS, *Civil Engineer.*

ALBANY, Jan. 10, 1860.

O. W. CHILDS, Esq.—Sir: In accordance with your instructions, I have made a survey, and prepared estimates for the extension of the Chenango canal, upon the south side of the Susquehanna river, from the village of Binghamton to the State line of Pennsylvania.

The computations for the quantities are made up from areas taken at every chain, instead of every three chains, as is the usual custom.

I have divided the distance, with few exceptions, into sections of one mile each; and have included in the estimate for the section work, the estimated cost of the structures occurring upon that particular section. I have also estimated the land damages for permanent and temporary occupation, and all buildings to be removed, upon each farm and lot, the sums total of which constitute items in the aggregate estimated cost.

All of which is respectfully submitted.

W. W. JEROME,

Engineer in charge.

Section No. 1—47 chains.

Commences 6 chains above the lower locks in the village of Binghamton. A descent is here made by a lock of 6 feet. Thence passes across the Susquehanna river, below the bridge, in the

pool of the proposed dam. Leaves the river a short distance below the house of C. Eldridge, and enters upon the river flat. From thence for a distance of 22 chains to end of section, the cutting will average $7\frac{1}{2}$ feet.

Material, loam and gravel.

Lock No. 1, six feet lift, including all the section work on the north side of the river.....	\$7,113 50
Guard lock on south side, and section work connected therewith	6,512 20
Earth excavation, 10,000 c. yds., at 14c.....	1,400 00
Constructing 11 chains of towpath on south side of river, including bridge over Collier's brook.....	1,000 00
Dam, 1,026 feet in length	16,614 60
Tow path bridge across river, 640 lineal feet, at \$10	6,400 00
Road and change bridge, north side of river	640 00
Farm and change bridge on the farm of C. Eldridge	510 00
Demolishing old dam	500 00
Fencing 176 rods, at \$1.....	176 00
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	\$40,865 70
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Section No. 2—1 mile.

Continues upon the river flat for a distance of 47 chains, in cutting varying from 5 to 8 feet. Thence passes along the shore of the river, occupying a part of its channel to end. To provide for the occurrence of excessive high water, I have estimated for raising the bank 3 feet extra height, which amount is included in the embankment. For the portion in the river upon this and the following section, slope wall protection will be necessary.

Material, loam, clay and gravel.

Grubbing and clearing, 30 chs. at \$12.....	\$360 00
Earth excavation, 59,800 c. yds., at 14c.....	8,372 00
Embankment, 44,200 c. yds., at 14c.....	6,189 00
Slope wall, 2,000 c. yds., at \$1.25.....	2,500 00
1 farm bridge.....	510 00
Fencing 376 rods, at \$1.....	376 00
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	\$18,306 00
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Section No. 3—1 mile.

Continues along the shore of the river for a distance of 43 chains. Here the high ground recedes from the river, and the line occupies the flat in cutting varying from 8 to 12, to end of section. Material, loam and coarse gravel, requiring a small amount of lining.

Grubbing and clearing, 42 chains at \$15	\$630 00
Earth excavation, 43,300 c. yds., at 14c	6,062 00
Embankment, 89,600 c. yds., at 15c	13,440 00
Lining, 2,000 c. yds., at 20c	400 00
Slope wall, 3,000 c. yds., at \$1.25	3,750 00
Fencing, 320 rods, at \$1	320 00
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	\$24,602 00
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Section No. 4—1 mile.

Commences near the east line of Hazard Lewis' farm, and extends along and near the shore of the river for a distance of 75 chains, where it is again driven into the river by the high bank of Willow Point. For a short distance, and after the line enters the river, there is rock excavation sufficient to make the protection. Material, loam, coarse gravel and graywacke. Lining will be required upon some portions.

Grubbing and clearing, 9 chains, at \$10	\$90 00
Earth excavation, 80,000 c. yds., at 14c	11,200 00
Rock requiring blasting, 3,000 c. yds., at 70c	2,100 00
Rock without blasting, 5,000 c. yds., at 40c	2,000 00
Embankment, 16,900 c. yds., at 12c	2,028 00
Lining, 5,000 c. yds., at 20c	1,000 00
Riprap wall, 500 c. yds., at 50c	250 00
1 road bridge	574 00
2 culverts, 8 feet chord, at \$1,020	2,040 00
Fencing, 320 rods, at \$1	320 00
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	\$21,602 00
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Section No. 5—1 mile.

Continues along the base of Willow Point for a distance of 19 chains, where it leaves the river and occupies a narrow flat for 26 chains. It is again forced into the river, and is located along a bank 28 feet above canal bottom, with reference to equal cutting and filling, and terminates on the farm of Chas. Seymour, near

east line. Material—graywacke, loam, coarse gravel and large stone, sufficient to form the necessary protection against the river.

Grubbing and clearing 53 chains at \$12,.....	\$636
Earth excavation, 94,000 c. yds. at 12c.....	11,280
Rock requiring blasting, 2,500 c. yds. at 70c.....	1,750
Rock without blasting, 2,000 c. yds. at 40c.....	800
Embankment, 37,000 c. yds. at 15c.....	5,550
Lining, 4,000 c. yds. at 20c.....	800
Riprap wall, 7,000 c. yds at 50c.....	3,500
Fencing, 320 rods at \$1.....	320
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	\$24,636
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Section No. 6—1 mile.

Continues as above 7 chains, where it again leaves the river and passes over an undulating surface, with alternate cutting and filling. Embankments can be obtained chiefly from the excavation, with a haul of 500 to 1,000 feet. Material—loam and gravel.

Earth excavation, 45,000 c. yds. at 12c.....	\$5,400
Embankment, 43,800 c. yds at 10c.....	4,380
One road bridge.....	574
One farm bridge.....	510
One culvert, 4 feet chord.....	560
Fencing, 608 rods at \$1.....	608
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	\$12,032
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Section No. 7—1 mile.

From the upper end of section No. 2 to station 462 on this section, the line varies but slightly from the one as located by J. D. Allen, in 1838. At this point the line (of 1838) was turned toward the river, and descending by a lock 7 feet, was located through a swamp, or low ground, which freshets in succeeding years has proved to be unsafe, without the canal being guarded by high protection banks, it was therefore deemed necessary to continue the line further from the river, and retaining the same level across the Choconut creek 4 miles below.

The first 8 chains of this section is through a ridge, in 10 to 17 feet cutting. Thence crossing a ravine 3 to 8 feet below canal bottom in 10 chains, continues for the succeeding 37 chains upon a uniform surface 8 to 12 feet cutting. For the remaining 25

chains the embankment is largely in excess of the excavation. Average haul, 700 feet. Material—loose gravel and loam.

Grubbing and clearing, 7 chains at \$15.....	\$105
Earth excavation, 68,400 c. yds. at 12c.....	8,208
Embankment, 36,600 c. yds. at 9c.....	3,294
Lining, 1,000 c. yds. at 20c.....	200
Three farm bridges, at \$510 each.....	1,530
Three culverts, 4 feet chord, at \$560 each.....	1,680
Fencing, 630 rods at \$1.....	630
One road bridge.....	673
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	\$16,320
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Section No. 8—1 mile.

Continues over an undulating surface, alternate cutting and filling, and terminates on the farm of Alfred Withers. Embankment obtained wholly from the excavation. Average haul, 700 feet. Material—loam, clay and gravel.

Earth excavation, 25,500 c. yds. at 13c.....	\$3,315
Embankment, 23,500 c. yds. at 9c.....	2,115
Lining, 1,000 c. yds. at 20c.....	200
Three farm bridges, at \$510 each.....	1,530
One culvert, 4 feet chord.....	560
Fencing, 640 rods at \$1.....	640
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	\$8,360
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Section No. 9—1 mile.

General characteristics same as the preceding section.

Grubbing and clearing, 23 chains at \$15.....	\$345
Bailing and draining.....	300
Earth excavation, 24,400 c. yds. at 14c.....	3,416
Embankment, 16,400 c. yds. at 9c.....	1,476
Three farm bridges, at \$510 each.....	1,530
Fencing, 640 rods at \$1.....	640
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	\$7,707
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Section No. 10—1 mile.

Commences half a mile above, and opposite the village of Union; winds along the base of the hill upon a sloping surface for the

first 40 chains. For the succeeding 40 chains the ground gradually slopes towards the Choconut creek, the banks of which are $2\frac{1}{2}$ feet below canal bottom.

The section terminates four chains west of the creek, which is crossed by an aqueduct of four spans, having six feet clear flow; material—gravelly loam.

Earth excavation, 50,700 cubic yards at 14c.	\$7,098
Embankment, 34,000 yards at 15c.	5,100
Lining 3,000 cubic yards at 20c.	600
One road bridge.	673
Two farm bridges, at \$5.10 each.	1,020
One aqueduct, four spans, 22' feet each.	4,847
One culvert, four feet chord.	560
Fencing 614 rods at \$1.	614
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	\$20,512
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Section No. 11—1 mile.

The line passes through a high ridge a distance of eight chains, thence along a sidehill 15 chains. The succeeding 29 chains, to lock number two, is located upon the table land, in cutting varying from three to ten feet. A descent is here made of eight feet. Directly below the lock, the line crosses the road, and the section terminates upon the north margin of a swamp in five and a half feet cutting. Material—loam, coarse gravel and clay. Lining necessary.

Grubbing and clearing seven chains at \$15.	\$105 00
Earth excavation, 65,000 cubic yards at 14c.	9,100 00
Embankment, 18,000 cubic yards at 14c.	2,520 00
Lining 5,000 cubic yards at 20c.	1,000 00
Three road bridges at \$640.	1,920 00
Three farm bridges at \$510.	1,530 00
Fencing 570 rods at \$1.	570 00
Lock number two, eight feet lift.	6,849 45
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	\$23,594 45
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Section No. 12—1 mile.

Continues for 25 chains along the margin of the swamp, in six and a half to three feet cutting. The remaining 55 chains is upon a uniform surface, with cutting varying from one to four

feet. Embankment to be borrowed. Material—muck, clay sub-soil and loam.

Grubbing and draining 22 chains at \$15	\$330
Bailing and draining	500
Earth excavation, 28,000 cubic yards at 14c.	3,920
Embankment, 17,300 cubic yards at 15c.	2,595
One road bridge	640
Three farm bridges at \$510	1,530
One culvert, four feet chord	560
Fencing 620 rods at \$1	620
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	\$10,695

Section No. 13—1 mile.

- Commences on the farm of George and Thomas Ross, near west line; continues over an undulating surface to the county line between Broome and Tioga, crossing Crazy brook by an aqueduct of one span; thence along the edge of a low table land, and terminates on the farm of Isaac Brown. Material—loam and coarse gravel.

Grubbing and clearing four chains at \$10	\$40 00
Earth excavation, 32,000 cubic yards at 14c.	4,480 00
Embankment, 31,000 cubic yards at 15c.	4,650 00
Lining 3,000 cubic yards at 20c.	600 00
One aqueduct	3,009 90
Three farm bridges, at \$510,	1,530 00
Fencing, 624 rods, at \$1,	624 00
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	\$14,933 90

Section No. 14—1 mile.

Continues as above 10 chains. For the succeeding 36 chains the ground is quite uniform, giving very nearly the requisite depth of cutting. The remaining portion is alternate cutting and filling. Embankment principally to be borrowed. Material loam and gravel.

Earth excavation, 33,000 cubic yards, at 14c	\$4,620
Embankment, 22,000 " " 15c	3,300
Three farm bridges, at \$510	1,530
Two culverts, four feet chord, at \$560,	1,120
Fencing, 628 rods, at \$1	628
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	\$11,198

Section No. 15—1 mile.

Commences on the farm of Eleanor Gland, has a tolerably uniform surface, and terminates five chains east of the Apalachin creek. Material—gravelly loam.

Earth excavation, 28,000 c. yards, at 14 c.	\$3,920
Embankment, 28,000 c. yards, at 15c.	4,200
Four farm bridges, at \$510,	2,040
One road bridge,	574
One culvert, four feet chord,	560
Fencing 610 rods, at \$1,	610
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	\$11,904
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Section No. 16—1 mile.

Crosses Apalachin creek by an aqueduct of 4 spans, 22 feet each, with a clear flow of 8 feet; crosses a flat in 11 chains, ground averaging canal bottom; thence along a side hill for a distance of 31 chains, passing 40 feet south of W. S. Pearsall's house. The surface for the remaining 33 chains is very irregular and broken, but not unfavorable for a canal. Material—loam and gravel, mixed with large stone.

Grubbing and clearing 24 chains, at \$12.	\$288
Earth excavation, 55,000 c. yards, at 14c.	7,700
Embankment, 27,000 c. yards, at 15c.	4,050
Lining, 5,000 c. yards, at 20c.	1,000
One road bridge, 50 feet span, 17 feet roadway	640
do do 54 do 13 do	580
One farm bridge,	510
One aqueduct, 4 spans, 22 feet each	5,631
Fencing 610 rods, at \$1	610
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	\$21,009
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Section No. 17—1 mile.

Has an average cutting of nine feet for a distance of 24 chains. Line gradually tending towards the river to lock No. 3. Here a descent is made of 7 feet. Immediately below the lock the line is driven into the river by a high table land, along which it is located for a distance of 33 chains, with reference to equal cutting and filling. It then leaves the river and passes over a level surface, in six feet cutting, to its termination on the farm of Mr.

Jewett, at the main road. The road now running along the verge of the hill will be required to be changed for a distance of 20 chains. It is contemplated that a sufficient amount of stone can be obtained from the excavation to make the necessary protection wall. Material—loam and coarse gravel.

Grubbing and clearing 31 chains, at \$10.....	\$310 00
Earth excavation, 126,810 cubic yards, at 12c.	15,217 20
Riprap wall, 5,000 c. yards, at 50c.....	2,500 00
Lock No. 3, 7 feet lift.....	6,681 35
One farm bridge	510 00
Fencing 508 rods, at \$1.....	508 00
Changing road 80 rods, at \$2.....	160 00
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	\$25,836 55
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Section No. 18—1 mile.

Has a level uniform surface of ground, affording very nearly the requisite depth of cutting. Material—clay and loam.

Grubbing and clearing 14 chains, at \$12.....	\$168
Earth excavation, 28,000 c. yards, at 14c.	3,920
Embankment, 8,000 yards, at 15c.	1,200
3 farm bridges, at \$510	1,530
1 road bridge	673
1 culvert, 4 feet chord.....	560
Fencing 620 rods, at \$1.....	620
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	\$8,671
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Section No. 19—1 mile.

Upon a level surface, affording, for the greater portion, the requisite depth, with no surplus excavation. Material—loam and clay.

Earth excavation, 18,800 c. yards, at 14c.....	\$2,632
Embankment, 28,000 c. yards, at 15c.....	4,200
Four farm bridges, at \$510.....	2,040
One road bridge, 13 feet roadway.....	574
One culvert, 4 feet chord.....	560
Fencing, 620 rods, \$1.....	620
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	\$10,626
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Section No. 20—1 mile.

The first 25 chains passes over an even surface with favorable cutting. Crosses a ravine which is 8 feet below canal bottom, in 4 chains. The succeeding 12 chains has an average cutting of 6 feet, and approaches the river at the lumber yard of J. J. Sackett. Thence lies along and near the river, crossing a succession of ridges and ravines, and terminates on the farm of Frederick Pumpeller, near his east line. Material—loam.

Earth excavation, 29,100 c. yards, at 14c.	\$4,074
Embankment, 44,500 c. yards, at 15c.	6,675
One road bridge, 54 feet span, 17 feet roadway.	673
One farm bridge	510
Two culverts, 4 feet chord, at \$560.	1,120
One do 6 do	850
Fencing 464 rods, at \$1.	464
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	\$14,366
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Section No. 21—1 mile.

Passes along and near the bank of the river its entire length. The broken and uneven surface which commences on the preceding section, continues on this 55 chains to lock No. 4. For the remainder of the section the surface is uniform and the cutting favorable. Material—loam and gravel. Light grubbing; lockage 7 feet.

Grubbing and clearing 18 chains, at \$10.	\$180 00
Earth excavation, 57,000 c. yards at 14c.	7,980 00
Embankment, 32,000 c. yards, at 14c.	4,480 00
Lining, 5,000 c. yards, at 20c.	1,000 00
Two culverts, 4 feet chord, at \$560.	1,120 00
Fencing, 320 rods, at \$1.	320 00
Lock No. 4, 7 feet lift	6,290 35
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	\$21,370 35
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Section No. 22—1 mile.

Continues for a distance of 8 chains, with an average cutting of 9 feet. At this point the canal is forced into the river by a coarse gravelly hill, which it follows for 30 chains, the line being located with reference to equal cutting and filling. Thence it crosses the road and lies immediately along the south side of it 42 chains, to its termination on the land of Edward Parmenter.

Material—clay, loam and gravel, mixed with large stone. Along that portion of the canal occupying the channel of the river, the excavation necessary to make the embankment will furnish sufficient stone to make the riprap protection wall.

Grubbing and clearing 38 chains, at \$15.....	\$570 00
Earth excavation, 100,000 c. yds. at 13c.....	13,000 00
Embankment, 11,000 c. yds. at 14c.....	1,540 00
Lining, 3,000 c. yds. at 20c.....	600 00
Riprap wall, 3,800 c. yds. at 50c.....	1,900 00
One road bridge.....	673 00
One farm bridge.....	510 00
One culvert, 4 feet chord.....	560 00
Fencing, 168 rods, at \$1.....	168 00
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	\$19,521 00
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Section No. 23—1 mile.

Diverges from the road and passes through the ridge in 7 chains, having an average cutting of 11 feet. Thence 11 chains, crossing a slight depression with a cutting of 3 feet. Thence 21 chains, passing through the orchard of Levi Catlin, to centre of main road, cutting varying from 8 to 11 feet. Thence 41 chains along the river bank to near the western limits of the village of Owego, over a level surface having an average cutting of 1½ feet. Soil loam.

Earth excavation, 45,000 c. yds., at 13c.....	\$5,850 00
Embankment, 14,000 c. yds., at 16c.....	2,240 00
Road bridge.....	640 00
Farm bridge.....	510 00
1 culvert, 4 feet chord.....	560 00
Raising bridge at Owego.....	500 00
Fencing 444 rods, at \$1.....	444 00
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	\$10,744 00

Section No. 24—1 mile.

Continues for a distance of 36 chains upon a uniform surface, with the exception of a small ravine, in cutting ranging from 5 to 7 feet. Thence passing to the low ground of Archibald's creek, which is crossed by an aqueduct of 1 span. Thence 44 chains to end of section, with an average cutting of 3 feet. Material—loam and gravel.

Earth excavation, 30,000 c. yds., at 13c.....	\$3,900 00
Embankment, 17,000 c. yds., at 14c.....	2,380 00
Lining, 1,500 c. yds., at 20c.....	300 00
1 road bridge.....	640 00
1 farm bridge.....	510 00
1 aqueduct 1 span, 22 feet.....	3,051 90
2 culverts, 4 feet chord, at \$560.....	1,120 00
Fencing 616 rods, at \$1.....	616 00
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	\$12,517 90
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Section No. 25—1 mile.

Beginning 7 chains westerly of Hand & Pompelly's saw mill. Thence over a uniform surface, with an average cut of $3\frac{1}{2}$ feet for 55 chains, to the head of lock No. 5. Thence 10 chains over an uneven surface, crossing the road, and passing into the river at the Narrows, which are formed by the projection of a steep rocky bank 200 feet in height. Thence 15 chains in the river, to end of section. Here it is designed to cut into the hill only sufficient to procure material for the protection wall. The main road now along the face of the hill is to be changed to the tow-path through the Narrows; provision is therefore made to increase the top width of towpath to 18 feet. Grubbing heavy. Material—loam and graywacke. Lockage 7 feet.

Grubbing and clearing 38 chains, at 18\$.....	\$684 00
Earth excavation, 15,000 c. yds., at 14c.....	2,100 00
Rock excavation, 2,000 c. yds., at 50c.....	1,000 00
Embankment, 65,000 c. yds., at 16c.....	10,400 00
Slope wall, 1,000 c. yds., at \$1.25.....	1,250 00
Riprap, 1,000 c. yds., at 50c.....	500 00
Lock No. 5, 7 feet lift.....	6,378 35
1 culvert, 5 feet chord.....	700 00
Fencing 260 rods, at \$1.....	260 00
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	\$23,272 35
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Section No. 26—1 mile.

Continues for 46 chains in the river, the same as the last 15 chains of the preceding section; thence the hill receding from the river, the line crosses the road and again occupies the flat, passing over a uniform surface for 34 chains, and terminates on

the farm of Amos Lane, affording for the latter distance an average cutting of 5 feet. Material, gravelly loam; easy excavation.

Grubbing and clearing 40 chains, at \$10.....	\$400 00
Earth excavation, 18,000 c. yds., at 14c.....	2,520 00
Rock do 6,000 do 50c.....	3,000 00
Embankment 110,000 c. yds., at 20c.....	22,000 00
Slope wall, 3,000 c. yds., at \$1.25.....	3,750 00
Riprap wall; 3,000 c. yds., at 50c.....	1,500 00
One road bridge.....	640 00
One farm bridge.....	510 00
Fencing 288 rods, at \$1.....	288 00
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	\$34,608 00
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Section No. 27—1 mile.

This section, for the first 18 chains, passes over a very uniform surface, with an average cutting of 7 feet; thence, for the remaining 62 chains, surface is broken and variable; material, loam.

Earth excavation, 31,000 cubic yards, at 13c.....	\$4,030
Embankment, 42,000 cubic yards, at 13c.....	5,460
One road bridge, 50 feet span, 13 feet roadway.....	574
do 54 do 17 do.....	673
One farm bridge, 50 do 11 do.....	510
Fencing 622 rods, \$1.....	622
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	\$11,869
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Section No. 28—1 mile.

Continues for the first 27 chains along the brow of a low table land; thence passing through a ridge in 9 chains, with a cut of 12 feet, crosses the main road and a small stream, and continues over a depression 3 feet below canal bottom for a distance of 8 chains; thence for 33 chains to its termination, on the farm of Wm. Lounsberry. The ground affords sufficient cutting for the necessary embankment; material—loam, gravel and sand.

Earth excavation, 32,000 cubic yards, at 13c.....	\$4,160
Embankment, 34,400 do 13c.....	4,472
Lining, 2,000 do 20c.....	400
One road bridge, 50 feet span, 17 feet roadway.....	640
do 50 do 13 do.....	574
One farm bridge, 50 do 11 do.....	510

One culvert, 8 feet chord	1,020
Fencing 622 rods, at \$1	622
	<hr/>
	\$12,398
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Section No. 29—1 mile.

This section has a very uniform and favorable surface for the whole length, the ground affording sufficient cutting for the necessary embankment; lockage 9 feet; soil loam and gravel; grubbing light.

Grubbing and clearing 7 chains, at \$12	\$84 00
Earth excavation, 23,000 cubic yards, at 13c	2,990 00
Embankment, 13,000 do 13c	1,690 00
Lining, 1,500 do 20c	300 00
One road bridge	574 00
Three farm bridges, at \$510	1,530 00
Waste weir	500 00
Fencing 416 rods, at \$1	416 00
Lock No. 6, 9 feet lift	7,107 45
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	\$15,191 45
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Section No. 30—1 mile.

This section passes along the foot of a sloping table for the whole distance, with a uniform surface, requiring but one bank. For the greater part of its length, the cutting furnishes the necessary material for the embankment. Material—loam, with clay subsoil.

Earth excavation, 25,800 c. yds. at 15c	\$3,870
Embankment, 13,500 c. yds. at 14c	1,890
3 farm bridges at \$510	1,530
Fencing 622 rods, at \$1	622
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	\$7,912
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Section No. 31—1 mile.

Commences on the farm of Isaac Dunham, and continues along the foot of a sloping surface for the whole length. The surface is quite uniform, and the excavation is nearly sufficient to form the bank, one only being required. Material, loam, clay and gravel.

Earth excavation, 34,000 c. yds. at 15c.....	\$5,100
Embankment, 9,000 c. yds. at 14c.....	1,260
2 farm bridges, at \$510.....	1,020
Fencing 628 rods, at \$1.....	628
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	\$8,008
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Section No. 32—1 mile.

This section continues for 10 chains along the foot of the slope, crossing a branch of the Wappasena creek, and a mill race near Dunham's woolen factory. Thence 14 chains to Big Wappasena creek, which is crossed with an aqueduct of four spans. Thence passing through the village of Nichols with a uniform surface, and a depth of cutting, sufficient to form the banks to the termination on the farm of Henry Kirby. Material—gravel, clay and loam.

Earth excavation, 37,000 c. yds. at 13c.....	\$4,810
Embankment, 13,000 c. yds., at 15c.....	1,950
Lining, 3,000 c. yds. at 20c.....	600
1 road bridge 50 ft. span, 17 ft. roadway.....	640
1 do 50 18 do	574
2 farm bridges, at \$510.....	1,020
1 culvert, 6 feet chord.....	850
1 culvert, 4 feet chord.....	560
Aqueduct, 4 spans, 22 feet each.....	4,651
Fencing 416 rods, at \$1.....	416
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	\$16,071
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Section No. 33—1 mile.

Continues for a distance of 23 chains along and upon the brow of the slope, cutting only sufficient to make one bank. Thence for 26 chains upon flat, crossing Little Wappasena with an aqueduct of one span, to the centre of the road running south, near the house of Lewis Lockwood. Thence along and near the river road for 31 chains to its termination near the house of Gilbert Piersall.

Grubbing and clearing 5 chains, at \$10	\$50 00
Earth excavation, 42,000 c. yds., at 13c	5,460 00
Embankment, 25,000 c. yds., at 13c.....	3,250 00
Lining, 3,000 c. yds., at 20c	600 00

Aqueduct, one span, 22 feet	\$3,037 90
4 farm bridges, at \$510	2,040 00
1 road bridge	574 00
Fencing 560 rods, at \$1	560 00
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	\$15,571 90
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Section No. 34—1 mile.

This section for the first 22 chains, to lock No. seven, passes over a uniform surface, with an average cutting of two and a half feet. Thence descending 7 feet, it passes along the slopes of a succession of low hills for 58 chains, to its termination, on the farm of Harvey Coryell, near west line. Material—loam, gravel and sand.

Earth excavation, 46,400 cubic yards, at 13c.	\$6,032 00
Embankment, 24,000 cubic yards, at 14c.	3,360 00
Lining, 3,500 cubic yards, at 20c.	700 00
Lock No. 7, 7 feet lift	6,301 95
One road bridge	574 00
One farm bridge	510 00
One culvert, four feet chord	560 00
Fencing, 628 rods, at \$1	628 00
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	\$18,665 95
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Section No. 35—1 mile.

The first 15 chains passes over a uniform surface, with an average cutting of four feet. Thence for 35 chains, it passes along the slope of the table land, and crosses the river road on the farm of H. Coryell, thence rising on to the table land, it passes for 30 chains over a very uniform surface, with an average cutting of six and a half feet.

Earth excavation, 43,000 cubic yards, at 13c.	\$5,590 00
Embankment, 20,000 cubic yards, at 13c.	2,600 00
Lining, 2,800 cubic yards, 20c.	560 00
Two road bridges, at \$673	1,346 00
Two farm bridges, at \$510	1,020 00
Fencing, 612 rods, at \$1	612 00
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	\$11,728 00
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Section No. 36—82 chains.

Has an even surface, with an average cut of six feet for a distance of $66\frac{1}{2}$ chains, to head of lock No. 8, which has seven feet descent. Thence $11\frac{1}{2}$ chains along the base of a steep bluff occupying the river road to the head of lock No. nine, having a descent of six feet. Then continues on the river flat four chains, terminating on the farm of H. W. Shoemaker. It is designed to pass the road upon the tow-path, from a point opposite lock No. eight, to a point convenient for crossing the canal below lock No. nine. The additional embankment for the necessary increased width of the tow-path is included in the amount below. Material—gravel, loam. Lockage 13 feet.

Earth excavation, 33,000 cubic yards, at 13c.....	\$4,290 00
Embankment, 18,400 cubic yards, at 14c	2,576 00
Lining, 3,000 cubic feet, at 20c	600 00
One road bridge	640 00
Two farm bridges, at \$510	1,020 00
Lock No. 8, 7 feet lift	6,423 95
Lock No. 9, 6 feet lift	5,944 45
Fencing, 640 rods, at \$1	640 00
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	\$22,134 40
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Section No. 37—1 mile.

This section, for its whole length, lies upon the river flat, at the foot of a ridge, with the exception of the last ten chains, where it rises on to the table land. Only one bank is necessary; the deficiency of material for which can be obtained from the ridge. Material—loam, clay and gravel, light grubbing.

Grubbing and clearing, 20 chains, at \$8.....	\$160 00
Earth excavation, 30,000 cubic yards, at 13c	3,900 00
Embankment, 28,000 cubic yards, at 15c	4,200 00
Lining, 2,000 cubic yards, at 20c.....	400 00
Farm bridge	510 00
Fencing 634 rods, \$1.....	634 00
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	\$9,804 00
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Section No. 38—1 mile.

For the first 34 chains on this section, the line continues on the upland. Thence for 41 chains it again occupies the river flat, passing over a very uniform surface. Thence 5 chains, to

termination with an average cut of 11 feet. Material, loam, with the exception of last 5 chains, which is coarse gravel, requiring lining.

Grubbing and clearing, 3 chains, at \$15,.....	\$45 00
Earth excavation, 25,500 c. yds., at 13c,.....	3,185 00
Embankment, 25,000 c. yds., at 15 c.,.....	3,750 00
Lining, 800 c. yds., at 20c.,.....	160 00
2 road bridges, 50 feet span, 13 ft. roadway, at \$574,	1,148 00
1 culvert, 4 feet chord,.....	560 00
Fencing 612 rods, at \$1,.....	612 00
2 farm bridges, at \$510,.....	1,020 00
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	\$10,480 00
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Section No. 39—69 $\frac{57}{100}$ chains.

Continues for 4 chains in a cut of 8 $\frac{1}{2}$ feet. Thence for 35 chains it passes along the foot of the slope to Parks' creek, which, by means of a receiver, is to be taken into the canal. Thence 16 chains over a uniform surface to the head of lock No. 10, having a descent of 7 feet. Thence 14 $\frac{57}{100}$ chains across a flat, and terminating near the river at the State line, at a point favorable for being continued inland, or upon the plan of locking into the river; material—loam and gravel.

Earth excavation, 27,000 cubic yards, at 14c.,.....	\$3,780 00
Embankment, 12,000 do 14c.,.....	1,680 00
Lining, 1,500 do 20c.,.....	300 00
Lock No. 10, 7 feet lift,.....	6,221 95
Two farm bridges, at \$510,.....	1,020 00
Receiver,	500 00
Fencing 628 rods, at \$1,.....	628 00
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	\$14,129 95
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Abstract of the preceding estimate.

Length in miles.	No. of section.	Amount.
$\frac{47}{80}$	Section No. 1,.....	\$40,865 70
1	do 2,.....	18,306 00
1	do 3,.....	24,602 00
1	do 4,.....	21,602 00
		<hr/>
	Carried forward,.....	\$

Length in miles.	No. of section.	Amount.
	Brought forward,	\$
1	Section No. 5,	24,636 00
1	do 6,	12,032 00
1	do 7,	16,320 00
1	do 8,	8,360 00
1	do 9,	7,707 00
1	do 10,	20,512 00
1	do 11,	23,594 45
1	do 12,	10,695 00
1	do 13,	14,933 90
1	do 14,	11,198 00
1	do 15,	11,904 00
1	do 16,	21,009 00
1	do 17,	25,836 55
1	do 18,	8,671 00
1	do 19,	10,626 00
1	do 20,	14,366 00
1	do 21,	21,370 35
1	do 22,	19,521 00
1	do 23,	10,744 00
1	do 24,	12,517 90
1	do 25,	23,272 35
1	do 26,	34,608 00
1	do 27,	11,869 00
1	do 28,	12,398 00
1	do 29,	15,191 45
1	do 30,	7,912 00
1	do 31,	8,008 00
1	do 32,	16,071 00
1	do 33,	5,571 90
1	do 34,	18,665 95
1	do 35,	11,728 00
1 ² ₈	do 36,	22,134 40
1	do 37,	9,804 00
1	do 38,	10,480 00
1 ⁸⁷ ₁₀₀	do 39,	14,129 95
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38 ⁴⁸ ₁₀₀		\$643,773 85

Brought forward,	\$643,778 85
Land damages, (permanent appropriations,)	\$54,545 25
Land damages caused by raising dam two feet, including cost of substituting steam power,	16,500 00
Land damages for temporary occupation,	5,000 00
Removing buildings,	1,475 00
	<hr/> 77,520 25
	<hr/> \$721,293 10
Add for engineering and contingencies, 15 per cent,	108,194 11
Aggregate,	<hr/> \$829,488 21

State of New York.

No. 85.

IN SENATE,

April 4, 1864.

COMMUNICATION

FROM BUFFALO BOARD OF TRADE, RELATIVE TO THE INCREASE OF STATE TOLLS ON SALT.

BUFFALO, *March 30, 1864.*

At a meeting of the members of the Buffalo Board of Trade, held at their rooms, the following preamble and resolutions were passed :

Whereas, It having been represented to this Board of Trade that there is a proposition before the Legislature to increase the State tax on salt five (5) cents per bushel on fine salt and ten (10) cents per bushel on coarse salt, it is

Resolved, That in view of the largely increasing manufacture of salt at Saginaw, and the development of salt at other points in the State of Michigan, it is the opinion of this body that any increase of the present State tax on salt manufactured at the salt wells would be prejudicial to the interests of the State of New York.

Resolved, That a copy of this preamble and resolution be sent to the chairman of the Senate, to the Speaker of the House, and to the chairman of the committee on ways and means.

G. S. HAZARD,

President Buffalo Board of Trade.

ALFRED D. DAW,

Secretary.

State of New York.

No. 86.

IN SENATE,

April 1, 1864.

COMMUNICATION

FROM THE REGENTS OF THE UNIVERSITY, RELATIVE TO
THE DECEASE OF REV. JOHN N. CAMPBELL, D. D.

THE REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK, }
OFFICE OF THE SECRETARY, }
ALBANY, *March* 31, 1864. }

HON. JAMES A. BELL,

President pro tem. of the Senate:

Sir—I have been directed to announce through you to the Senate the death of the Rev. John N. Campbell, D. D., who was elected a Regent of the University on the 18th of March, 1851.

I have also been directed to state that the place of John Lorimer Graham, elected a Regent on the 17th of April, 1834, has become vacant by resignation, under the statute of April 17, 1813.

Two vacancies are thus created, to be filled at the pleasure of the Legislature.

At a meeting of the Regents, held this day, the following tribute to the character of Dr. Campbell was ordered to be entered on their minutes and to be communicated to the Legislature:

“The Board records, with feelings of deep solemnity, their unfeigned sorrow for the removal by death of their associate the Rev. John N. Campbell, D. D., from the scenes of his usefulness. Dr. Campbell, with an established reputation as a christian divine, and a man of high literary cultivation, was by the Legislature elected a Regent of the University in 1851, and immediately took his place among those who with the most active and useful zeal gave their thoughts and their time to the duties of the Board. His genial disposition, his great intelligence, and

his practical sense in the business of the Board, vindicated the wisdom of the choice of the Legislature, and secured for him the respect and affection of all his associates. We mourn his death as a public loss and a personal bereavement.

"Resolved, That we tender to the widow of the deceased our deepest sympathy in her affliction, and that the secretary be directed to deliver to her a copy of these proceedings.

"Resolved, That these proceedings be transmitted to the honorable the Senate and the Assembly, as a mark of respect to the memory of the deceased, and as a duty on the part of the Regents.

"I have the honor to be, with great respect,

"Your obedient servant,

"S. B. WOOLWORTH,

"Secretary."

State of New York.

No. 87.

IN SENATE,

April 6, 1864.

GENERAL ORDERS.

497. (Assembly bill No. 278.) An act to authorize the commissioners of highways of the town of Dix, in the county of Schuyler, to construct a stone bridge across Watkins creek, in said town, and to borrow money for that purpose.
498. (Assembly bill No. 355.) An act to incorporate "The Musical Mutual Protective Union."
499. An act supplement to and amendatory of an act entitled "An act to suppress intemperance and regulate the sale of intoxicating liquor," passed April 16, 1857.
500. An act in relation to Manhattan square in the city of New York.
501. An act in relation to the map of the city of New York.
502. An act to authorize the town of Aurora, in the county of Erie, to raise money by bond to build an academy.
503. An act, to incorporate the Seneca Falls Institute.
504. An act authorizing the construction of storage reservoirs within the water shed of the Croton river, above the present Croton aqueduct dam, and the borrowing of three hundred thousand dollars by the mayor, aldermen and commonalty of the city of New York.
505. (Assembly bill No. 156.) An act to provide for the appraisal and payment of damages occasioned by the overflow of the waters of the Champlain canal, in the towns of Kingsbury and Fort Edward.
506. (Assembly bill No. 492.) An act to provide for the construction and maintenance of a free bridge across the Mohawk river at Amsterdam, in the county of Montgomery.

507. (Assembly bill No. 491.) An act for the relief of the Fayetteville and Syracuse Plank Road Company.
508. (Assembly bill No. 337.) An act relative to compensation of the assessors and commissioners of highways in the town of Watervliet, in the county of Albany.
509. (Assembly bill No. 180.) An act to authorize the Jamaica and Brooklyn Plank Road Company to change the location of toll gates upon their road.
510. An act to compel corporations to produce their books of account in evidence.
511. An act to provide grounds for the final resting place of the remains and monuments to perpetuate the memories of the soldiers of this State who fell in the defence of the Union on the battle fields of Gettysburgh and Antietam.
512. (Assembly bill No. 250.) An act to provide for the organization and government of the police force of the city of Albany.
513. (Assembly bill No. 244.) An act to repeal an act entitled "An act regulating highways and bridges in the counties of Suffolk, Queens and Kings," passed February 23, 1830; and, also, to repeal all acts amending said act.
514. (Assembly bill No. 387.) An act in relation to the performance of highway labor in the town of North Hempstead, in Queens county.
515. (Assembly bill No. 220.) An act to enable the trustees of the village of Owego to purchase land for village purposes.
516. (Assembly bill No. 165.) An act to provide for lighting certain streets in the village of White Plains, in the county of Westchester, with gas.
517. (Assembly bill No. 308.) An act to enable the village of Mexico, in Oswego county, to raise money for certain purposes.
518. (Assembly bill No. 385.) An act to amend an act entitled "An act to revise, amend, and consolidate the several acts relating to the village of Sag Harbor," passed April 18, 1861.
519. (Assembly bill No. 592.) An act to authorize the town of Hanover, in the county of Chautauque, to borrow money.

520. (Assembly bill No. 195.) An act authorizing the erecting keeping and maintaining of docks in the city of New York, at the foot of Barclay street, and to confirm the resolutions of the common council of the city of New York relating thereto.
521. An act to amend an act entitled "An act to alter the commissioners' map of the city of Brroklyn, and to provide for the widening and improvement of Third street, in said city," passed April 17, 1860, passed April 17, 1861.
522. An act to amend an act entitled "An act to incorporate the National Life and Limb Insurance Company of New York," passed April 25, 1863.
523. (Assembly bill No. 509.) An act to amend the separate road district of the village of Willink, in the county of Erie.
524. (Assembly bill No. 443.) An act to amend an act entitled "An act to authorize the town of Dunkirk to construct a gravel, stone or macadamized road from Lake Erie, in the village of Dunkirk, to the town line of the town of Dunkirk," passed April 17, 1863.
525. (Assembly bill No. 275.) An act authorizing the commissioners of highways of the towns of Amherst and Tonawanda, and the street commissioners of the city of Buffalo, in the county of Erie, to lay out and open a road in said towns and city.
526. (Assembly bill No. 451.) An act to amend an act entitled "An act in relation to the New York Institution for the instruction of the Deaf and Dumb," passed April 18, 1838.
527. (Assembly bill No. 444.) An act to prohibit the driving of cattle through the streets of Brooklyn on Sunday.
528. (Assembly bill No. 620.) An act for the relief of the commissioners of highways of the town of Rhinebeck, in the county of Dutchess.
529. (Assembly bill No. 192.) An act in relation to the fees of the treasurer of Montgomery county.
530. An act to amend an act entitled "An act to legalize certain ordinances of the board of supervisors of the county of New York, and provide for the payment of the bonds therein specified; also to authorize the borrowing of an additional amount of money for the payment of riot damages and military bounties," passed February 8, 1864.

531. (Assembly bill No. 188.) An act authorizing the Canal Appraisers to hear and determine the claim for damages of Ichabod W. Briggs by reason of the Erie canal enlargement.
532. (Assembly bill No. 390.) An act to change the name and title of the religious corporation known as "The Second Congregational Church of the town of Madrid," in the county of St. Lawrence, to "The First Presbyterian Church of Waddington, in said county.
533. (Assembly bill No. 226.) An act to change the name and title of the religious corporation known as "The First Presbyterian Church in Deerpark," to "The First Presbyterian Church in Mount Hope."
534. (Assembly bill No. 571.) An act to incorporate the Painters' Protective and Benevolent Association of the city of New York.
535. (Assembly bill No. .) An act in relation to the New York Magdalen Benevolent Society in the city of New York.
536. (Assembly bill No. 224.) An act to change the name of the Barker and Chenango Church and Society, in the county of Broome.
537. (Assembly bill No. 393.) An act to change the name of the Union village Baptist Church and Society in the town of Lisle, and for other purposes.
538. (Assembly bill No. 350.) An act to amend an act entitled "An act to incorporate the New York Eye Infirmary," passed March 29, 1822.
539. (Assembly bill No. 631.) An act to amend the charter of the "Provident Fund Society of the city of New York."
540. (Assembly bill No. 142.) An act to incorporate the East Marion Wharf Company.
541. (Assembly bill No. 406.) An act to provide for the extension of the Chenango canal, pursuant to chapter 115 of the Laws of 1863.
542. (Assembly bill No. 341.) An act authorizing the Saugerties and Woodstock Turnpike Road Company to locate a toll gate, and establishing rates of toll.
543. (Assembly bill No. 149.) An act to provide for the rebuilding of the bridge over the Seneca river, between the towns of Elbridge, in the county of Onondaga, and Cato, in the county of Cayuga, where the present float bridge is now located.

544. An act to authorize the New York and Harlem Railroad Company to increase their capital stock in the sum of three millions of dollars, for the purpose of completing their double track to the city of Albany, and further to authorise the holders of the mortgage bonds of said company to convert their bonds into stock.
545. (Assembly bill No. 347.) An act to punish disorderly persons within the village of Castleton, in the county of Rensselaer.
546. (Assembly bill No. 486.) An act to incorporate the Fire Department of the village of Adams.
547. (Assembly bill No. 241.) An act to amend an act entitled "An act to amend an act entitled 'An act to incorporate the village of Flushing,'" passed March 20, 1857.
548. (Assembly bill No. 517.) An act authorizing the election of trustees and other officers of the village of Cape Vincent.
549. (Assembly bill No. 288.) An act legalizing the acts of the taxpayers of the village of Cohoes.
550. (Assembly bill No. 484.) An act to authorize the trustees of the village of Baldwinsville, Onondaga county, to build sidewalks.
551. (Assembly bill No. 347.) An act to authorize the trustees of the village of Weedsport, in the county of Cayuga, to build or rent a village jail in said village.
552. (Assembly bill No. 402.) An act to amend an act entitled "An act to revise and consolidate the laws in relation to Amsterdam village, in Montgomery county," passed April 17, 1854.
553. (Assembly bill No. 269.) An act to amend the act to establish fire limits, and for the more effectual prevention of fires in the eastern district of the City of Brooklyn, passed April 17, 1860.
554. (Assembly bill No. 644.) An act to enable the qualified electors of this State, absent therefrom in the military service of the United States, to vote.
555. (Assembly bill No. 435.) An act to confirm the title of a certain lot or piece of land to Richard Reynolds.
556. (Assembly bill No. 301.) An act to release to Caroline Hillis certain real estate of which Henry Hillis died seised.

557. (Assembly bill No. 367.) An act to amend section 129, section 134, and section 137, chapter 15, article 6, title 2, part 1, of the Revised Statutes.
558. (Assembly bill No. 318.) An act to amend an act entitled "An act in relation to the fees of grand and petit jurors," passed March 31, 1860.
559. An act to provide for the repayment of moneys borrowed by the several towns of the county of Rockland for the relief of drafted men.
560. (Assembly bill No. 482.) An act to amend an act entitled "An act to provide for the election of a police justice in the town of Waterford, Saratoga county," passed February 9th, 1864.
561. (Assembly bill No. 284.) An act to enable the "Children's Aid Society of the city of New York," to hold real and personal estate.
562. (Assembly bill No. 344.) An act to legalize the election and subsequent proceedings of the trustees and officers of the village of Mount Vernon, in the county of Westchester.
563. (Assembly bill No. 326.) An act to authorize the stockholders of the Chautauqua Farmers' and Mechanics' Union to levy and collect taxes, and to legalize assessments heretofore made.
564. (Assembly bill No. 102.) An act for the release of certain lands of which Ann Jones died seized to John R. Jones, surviving husband of the said Ann Jones.
565. (Assembly bill No. 210.) An act to amend chapter 150 of the Laws of 1837, authorizing a loan of certain moneys belonging to the United States, deposited with the State of New York for safe keeping.
566. (Assembly bill No. 453.) An act to incorporate the Troy Iron Moulders' Association.
567. (Assembly bill No. 377.) An act in relation to draining wet lands in the towns of Mentz and Montezuma, Cayuga county.
568. (Assembly bill No. 201.) An act to provide for the hearing and determination of the claims of Amos Mason and others, for damages caused by the Oswego canal enlargement.

569. (Assembly bill No. 160.) An act to provide for the appraisal and payment of damages sustained by Timothy Cook in the construction of the Erie canal enlargement.
570. (Assembly bill No. 183.) An act authorizing the Canal Appraisers to hear and determine the claim of Joseph Borden for damages, by reason of loss of farm bridge over Erie canal.
571. (Assembly bill No. 99.) An act to authorize the laying of sidewalks in the highways, streets and avenues in the town of West Farms, in the county of Westchester.
572. An act to enable the mayor, aldermen and commonalty of the city of New York to convey certain premises on Ward's Island to the Society for the Protection of Destitute Roman Catholic Children in the city of New York.
573. An act to amend an act entitled "An act to reduce the several acts relating to the District Courts in the city of New York into one act," passed April 13, 1857.
574. (Assembly bill No. 520.) An act making appropriations for certain expenses of Government and for supplying deficiencies in former appropriations.
575. An act to extend the time for the completion of the South Side Railroad of Long Island.

State of New York.

No. 88.

IN SENATE,

April 5, 1864.

REPORT

OF THE COMMITTEE ON FINANCE ON "AN ACT TO PROVIDE FOR A MONUMENT IN THE NATIONAL CEMETERY AT GETTYSBURG, PENNSYLVANIA, TO THE MEMORY OF THE SOLDIERS OF THE STATE OF NEW YORK."

The committee on finance to which was referred the Assembly bill entitled "An act to provide for a monument in the National Cemetery at Gettysburg, Pennsylvania, to the memory of soldiers of the State of New York," beg leave to

REPORT;

That in the judgment of your committee the provisions of the bill are too limited, in that it only provides for perpetuating "the memory of the soldiers of this State slain in the battle at Gettysburg." While they fully concur in the desirableness of the object sought to be accomplished thereby, they are decidedly of opinion that our soldiers who fell in defence of the Union on other battle fields are equally entitled to the grateful recognition of our patriotic State..

From the limited time allowed in the investigation of this subject your committee have thus far only been able to obtain sufficient data on which to base legislative action from two of the great battle fields, namely, Gettysburg and Antietam.

The following communication from Mr. John F. Seymour has ever manifested an untiring interest in the welfare of sick and wounded soldiers, and whose judgment and kind, philanthropy your committee beg leave to thus publicly en- will exhibit more in detail the progress and expenses of the enterprise at Gettysburg.

[Senate, No. 88.]

HON. JAMES A. BELL, E. CORNELL, and ARCHIBALD C. NIVEN,

New York State Senate:

Pursuant to your request the following information is sent to you as obtained from David Wills, Esq., of Gettysburg, agent of the State of Pennsylvania, giving the probable amount which will be required from the State of New York, to pay her share of the cost of the national cemetery and monument at Gettysburg:

The commissioners appointed by the Governors of the different States who met at Harrisburg December 17, 1863, agreed upon the following estimated expense of the cemetery:

Enclosing grounds	\$15,000 00
Burial expenses and superintending.....	6,000 00
Head stones	10,000 00
Laying out grounds and planting trees	5,000 00
Lodge	2,500 00
Monument.....	25,000 00
Total	<u>\$63,000 00</u>

Of this sum the share of New York is \$13,123.33.

This apportionment is according to the population of 17 States as indicated by their Representatives in Congress. Mr. Wills has furnished the following statement of the number of interments in each State lot at Gettysburg, and the share of expenses to be paid by each State:

	No. of interments in each State lot.	No. of Representatives.	Apportionment of expenses.
Maine	104	5	\$2,116 67
New Hampshire	46	3	1,270 00
Vermont	61	3	1,270 00
Massachusetts.....	158	10	4,233 33
Rhode Island	12	2	846 67
Connecticut	22	4	1,693 33
New York.....	860	31	13,123 33
New Jersey.....	77	5	2,116 67
Pennsylvania	501	24	10,160 00
Delaware.....	15	1	423 33
Maryland	21	5	2,116 67
Virginia	11		
Ohio.....	131	19	8,043 33

	No. of interments in each State lot.	No. of Representatives.	Apportionment of expenses.
Indiana	79	11	4,656 67
Illinois	6	13	5,503 33
Michigan	166	6	2,540 00
Wisconsin	71	6	2,540 00
Minnesota	56	2	846 67
U. S. Regulars	136		
Unknown	976		
Total	3,509		\$63,500 00

Mr. Wills writes that most of the States have made appropriations for the payment of their shares of the expenses apportioned to them, and he requests similar legislation on the part of this State for the payment of \$13,123.33.

Very respectfully, yours,

JOHN F. SEYMOUR.

A copy of an act of the Legislature of Pennsylvania incorporating the "Soldiers' National Cemetery," accompanied the above communication. As it contains provisions having an important bearing upon the legislation herein proposed, and for the information and satisfaction of those interested in this subject, your committee deem it proper to herewith publish the act entire.

AN ACT TO INCORPORATE THE SOLDIERS' NATIONAL CEMETERY.

Whereas, The Commonwealth of Pennsylvania has purchased seventeen acres of land on Cemetery Hill on the Gettysburg battle-field in the county of Adams, for a cemetery for the burial of the remains of the soldiers who fell in the battle of Gettysburg and the skirmishes incident thereto in defence of the Union, or died thereafter from wounds received in that battle and the skirmishes, therefore,

Sec. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the titles to the said lands purchased as set forth in the foregoing preamble, are hereby ratified and confirmed, and shall vest and remain in said Commonwealth in fee simple, in trust for

all the States having soldiers buried in said grounds, and the said grounds shall be devoted in perpetuity to the purpose for which they were purchased, namely, for the burial and place of final rest of the remains of the soldiers who fell in the defence of the Union in the battle of Gettysburg, and also the remains of the soldiers who fell at other points north of the Potomac river in the several encounters with the enemy during the invasion of Lee in the summer of 1863, or died thereafter in consequence of wounds received in said battle and during said invasion.

Sec. 2. That B. W. Norris of the State of Maine, — of the State of New Hampshire, Paul Dillingham of the State of Vermont, Henry Edwards of the State of Massachusetts, John R. Bartlett of the State of Rhode Island, Alfred Coit of the State of Connecticut, Edward Cooper of the State of New York, — of the State of New Jersey, David Wills of the State of Pennsylvania, Benjamin Deford of the State of Maryland, John R. Latimer of the State of Delaware, — of the State of West Virginia, Gordon Lofland of the State of Ohio, John G. Stephenson of the State of Indiana, Clark E. Carr of the State of Illinois, W. Y. Selleck of the State of Wisconsin, Thomas White Ferry of the State of Michigan, — of the State of Minnesota, being one commissioner from each State having soldiers buried in said cemetery, be, and they and their successors are hereby created a body politic in law, under the name style and title of the Soldier's National Cemetery, and by that name style and title shall have perpetual succession, and be able and capable in law to have and use a common seal, to sue and be sued, plead and be impleaded in all courts of law and equity, and to do all such other things as are incident to a corporation.

Sec. 3. The care and management of the grounds referred to in the preamble and first section of this act are hereby entrusted solely to the commissioners named in the second section of the same, and those hereafter appointed to represent the States therein named, and their successors in office. The said commissioners shall constitute a board of managers whose duty it shall be out of funds that may be in the hands of the treasurer of the corporation by State appropriations or otherwise, to remove the remains of all the soldiers referred to in the first section of this act that have not already been removed to the cemetery, and have them properly interred therein, and also to lay out, fence

and ornament, to divide and arrange into suitable plots and burial lots, establish carriage-ways avenues and foot-ways, erect buildings and a monument or monuments, and suitable marks to designate the graves, and generally to do all other things in their judgment necessary and proper to be done to adapt the ground and premises to the uses for which it has been purchased and set apart.

Sec. 4. The business of the corporation shall be conducted by the commissioners aforesaid and their successors in office. The said commissioners shall meet within sixty days after the passage of this act, and organize by electing one of their number president; they shall also appoint a secretary and treasurer, and shall have power to employ such other officers and agents as may be needful; they shall require of the treasurer to enter into bonds to the corporation in double the probable amount of money that may be in his hands at any one time during his term of office, with two or more sufficient sureties, conditioned for the faithful discharge of his duties, and the correct accounting for and paying over of the money, which said bond or bonds shall be approved by the court of common pleas of Adams county, and recorded in the office of the recorder of deeds in and for said county. The term of office of the officers of the board of commissioners aforesaid shall expire on the first day of January of each and every year, or as soon thereafter as their successors may be duly chosen and qualified to act.

Sec. 5. At the first meeting of the commissioners heretofore named, they shall be divided by lot into three classes, and the term of office of the first class shall expire on the first day of January, Anno Domini, one thousand eight hundred and sixty-five, the second class on the first day of January, Anno Domini, one thousand eight hundred and sixty-six, and the third class on the first day of January, Anno Domini, one thousand eight hundred and sixty-seven. The vacancies thus occurring shall be filled by the Governors of the States which the said commissioners represented; and the persons thus appointed to fill such vacancies shall hold their office as commissioners aforesaid for the term of three years. In case of the neglect or failure of the Governor of any State having burial lots in the cemetery, to fill such vacancy, the board of commissioners may supply the place by appointing a citizen of the particular State which is not represented in the board by reason of such vacancy. Any vacancies

not yet filled or hereafter occurring in the board of commissioners, by death, resignation or otherwise, shall be filled by appointment, for the unexpired term, by the Governor of the State which the person represented ; or in case of failure by such Governor to make said appointment, then the place shall be supplied as last above indicated. Such other States of the Union not having burial lots in said cemetery, but that may at any time hereafter desire to be represented in this corporation, shall have the privilege of nominating a commissioner to represent them severally in the board of commissioners, and thereafter pay their proportionate share of the expense of maintaining said cemetery.

Sec. 6. The board of commissioners shall annually, at the end of each fiscal year, make a report of the condition and management of the cemetery, which report shall contain a detailed statement of the receipts and expenditures of the corporation, and a copy thereof shall be forwarded to the Governor of each State represented in the corporation. The expenses incident to the removal of the dead, the enclosing and ornamenting the cemetery, and all the work connected therewith, and its future maintenance, shall be apportioned among the States connecting themselves with the corporation, according to their population as indicated by their representation in the House of Representatives of the United States.

Sec. 7. The board of commissioners shall adopt such by-laws, rules and regulations as they may deem necessary for their meetings and government, and for the government of their officers, agents, and employees, and for the care and protection of the cemetery grounds and the property of the corporation, provided said by-laws, rules and regulations be not inconsistent with the Constitution and laws of the United States, the Constitution and laws of the commonwealth of Pennsylvania, and this act of incorporation.

Sec. 8. The board of commissioners shall have no power to appropriate any of the funds of the corporation as a compensation for their services as commissioners.

Sec. 9. The grounds and property of said cemetery shall be forever free from the levy of any State, county, or municipal taxes, and the commonwealth of Pennsylvania hereby releases and exempts the corporation, created by this act of Assembly, from the payment of any enrolment tax, or any tax or taxes

whatever that might be imposed by existing laws. All the laws of this commonwealth now in force, or which may hereafter be enacted for the protection of cemeteries, burial grounds, and places of sepulture, shall apply with full force and effect to the Soldiers' National cemetery, hereby incorporated, immediately from and after the passage of this act.

Sec. 10. The corporation of the Soldiers' National cemetery shall have power to receive appropriations from the United States and from State Legislatures, and also devises and bequests, gifts, annuities, and all other kinds of property, real and personal, for the purposes of the burial of the dead, enclosing and ornamenting the grounds, and maintaining the same, and erecting a monument or monuments therein.

THE ANTIETAM BATTLE-FIELD.

Much less has been done for the dead at Antietam. In the month of August last, Dr. Theodore Dimon was commissioned by the Governor of this State, to ascertain the number and names of the soldiers buried there, with a view of the preservation of their graves.

It appears from Dr. Dimon's report that he succeeded in identifying, by name and regiment, 351 graves of New York soldiers, and nearly 100 more by regiment. He believes with the regimental records and such other information as can be obtained, nearly every one of our soldiers buried there can be identified.

He also saw headboards legibly marking the graves of 250 of Pennsylvania soldiers, 94 of Massachusetts, 70 of Connecticut, 66 of Wisconsin, 65 of Ohio, and many of other States.

From the above it will be seen that New York was the greatest sufferer at Antietam, as she was also at Gettysburgh; and if the number of the dead is any evidence, she, more than any other State, must have borne the brunt of both these battles.

The report to which reference has been made, suggests Lee's Hill as an appropriate place for a cemetery. It affords the best and most comprehensive view of the battle-field; is central and accessible by good roads from all parts of the district. The land can be obtained for \$50 per acre. A bill proposing to give New York ten acres of land at its cost price and the choice of lots, is now pending in the Legislature of Maryland, for the purchase of

land for the re-interment of the remains of the soldiers which now lie in graves scattered in every direction about Sharpsburg, on the battle-field of Antietam.

In regard to the importance of the proposition now being made by the Legislature of Maryland for uniting with our State in a plan for the re-interment of the dead who fell on the battle-field of Antietam, Dr. Harris, of New York, who has recently visited that State, says, in a letter of March 16, 1864, that while it is the duty of the President to provide for such burial, in accordance with the act of Congress of 1862, giving him power and means for such purposes, but nothing has been done yet under this act, the States must do the work, or it will be left undone.

New York and Maryland can do it alone, accepting, of course, any aid that the other States may furnish.

Besides the dead that were interred in the vicinity of the field hospitals, we have a continuous line of hastily made graves and trenches for the dead who fell fighting from South Mountain to the Potomac. There were about 2,600 such burials, nearly 2,000 on the Antietam fields alone. Our dead are found in nearly one hundred and fifty places from Middletown to Williamsport, and for those remains of the bravest of men who fought in one of the greatest battles of history, we ought to do something that shall satisfy the sentiments of a Christian civilization.

It is painful to recollect that a great proportion of these graves were left unprotected, where the plow and the gullying streams of that rich district will soon obliterate all traces of them, and break to atoms the bones of the sleepers whose dust is sacred to the friends who will search in vain for such remains.

Some, however, are more carefully prepared burial places—where paternal affection and Christian tenderness have left the remains of those they loved, securely and tastefully interred. There are groups of such graves where Gen. Mansfield fell, and where Gen. Hooker fought, and others still where Gen. Burnside led his forces on the memorable 17th of September, and which no person can visit without shedding tears of sympathy and gratitude.

It is not yet too late to give decent interment to the great mass of the dead who are yet uncared for.

Compared with the field of Gettysburg, so far as topography and the historical facts are concerned, the battle ground

upon the Antietam, and on the summit and eastern slope of the South Mountain, equals in interest that of any other ground upon which loyal blood has been poured out in the defence of the national cause.

There is a sublimity and beauty about that particular region of northern Maryland that renders it befitting to make it a central burial place for those dead; it would become the most interesting and impressive of places for reminding future generations of the great struggle and sacrifices by which the institutions of their fathers were protected and established.

In behalf of the many thousand friends of the fallen and neglected brave, who lie buried or strewn on that great historic field, your committee, in accordance with the demands of the Christian civilization of the age, the love and patriotism of our homes that sent these brave men to the battle-field, as well as the sacredness of the human body, recommend that these dead should be reverently and carefully buried, and that suitable tokens of respect should mark their final resting place.

Conformable to the above report, your committee have amended the bill, and amended the title thereof, and as amended, recommend its passage.

JAMES A. BELL,
Chairman.

COPY OF THE BILL AS AMENDED.

AN ACT

To provide grounds for the final resting place of the remains and monuments to perpetuate the memories of the soldiers of this State, who fell in the defence of the Union on the battle fields of Gettysburg and Antietam.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Comptroller is hereby authorized and required to pay, upon the requisition of the Governor, the sum of thirty thousand dollars, or so much thereof as may be necessary, from the unexpended balance of an appropriation of two hundred thousand dollars, made by an act entitled "An act to provide additional means of relief for sick and wounded soldiers of the

State of New York in the United States service," passed April 24, 1863, which is hereby appropriated and set apart:

First. For the purpose of defraying that portion of the cost and expenses apportioned to this State by the commissioners of the Soldiers' National Cemetery, at Gettysburg, in the State of Pennsylvania; and

Second. For the purchase of ten acres of land, to be the property of this State, near Sharpsburg, in the State of Maryland, for a cemetery, and to defray the expense of enclosing, laying out and ornamenting the same, the removal and burial of the dead, and for the erection of suitable monuments and headstones to mark the final resting place of the soldiers of this State, who fell or died of wounds received in the defence of the Union on the battle-field of Antietam in the autumn of 1862.

Sec. 2. This act shall take effect immediately.

State of New York.

No. 89.

IN SENATE,

April 7, 1864.

REPORT

OF THE COMMITTEE ON CHARITABLE AND RELIGIOUS SOCIETIES, AND THE TESTIMONY TAKEN BY THEM IN RELATION TO THE AFFAIRS OF THE NEW YORK INSTITUTION FOR THE BLIND.

NEW YORK, *February 27th*, 1864.

The committee on charitable and religious societies, to which was referred the petition of William Hoffman and seventeen others, pupils at the New York Institution of the Blind, complaining of improper treatment, neglect, and inefficiency of their teachers; assembled at said institution, at the city of New York, at the date above. Present, Senators Strong, Angel and Fields: Mr. Comstock officiated as secretary. The superintendent, Mr. Wait, made the following statement in answers to questions by the committee:

William Hoffman, one of the petitioners, left the institution on the 14th.

Charles T. Lewis, taken sick and now in Brooklyn with his aunt.

John James Westervelt, left about a week ago, stating that he was ill, and is now with his parents in the Eighth avenue.

Samuel Bennett is sick with his parents in New Jersey.

The following testimony was then taken, in each case the witness only, being present before the committee:

HENRY PUGH, one of the petitioners, being sworn says:—I live in Brooklyn, No. 7, Portland avenue; am, as near as I can remember, over 19 years, think I was 19 December 14th last. Have been an inmate here since 8th of last September. My parents are living. Am here at the expense of the State. Was here before, but only as visitor. The food given to us we do not consider good. We have had meat and fish that we did not like. It

smelled and tasted bad—it was tainted. Have often found the meat so hard and tough that I could hardly cut it. Sometimes the cornéd beef would crumble all to pieces; it seldom had any taste. Two or three times since I have been here I have found the meat tainted. Once since I came here I found the cake burnt so that I could not eat it. Our usual bill of fare is as follows: on Monday morning, at breakfast, we have bread, butter and tea; the tea is brought on the table with sugar and milk in it; the tea is always weak. At dinner we have beef soup, and the meat of which the soup is made, served up too. We have bread and potatoes daily, except Fridays, when I think we do not have potatoes. On Monday, for tea, we have bread and molasses, butter and tea. The butter is frequently strong, generally so. Tuesday morning we have coffee, milk and sugar in it. The coffee is pretty fair, we have also hashed meat and potatoes, bread and butter. Our Tuesday's dinner is a meat stew of beef; also soup, also potatoes and bread. The bread is generally pretty good. On no day in the week do we ever have pie or pudding, or stewed fruit, except that on Friday we sometimes have bread pudding. Our tea is the same as on Monday, and is the same every day in the week. We have coffee two days in every week, but I cannot say certainly on what days, think it is Wednesday and Sunday. Our Wednesday dinner is corn beef and cabbage, no soup, we have potatoes—no other vegetables—with bread, but no butter on Wednesday. Tea, same as on other evenings. Our breakfast is the same on Thursday and on all other days, with the exception of the two days when we have coffee. Thursday's dinner is pork and beans. Friday's dinner is fish, sometimes fish also for breakfast on Friday. I do not eat the fish because it smelled and tasted so bad. It was fresh fish. On Saturday we have roast beef with bread and gravy. Our Sunday's dinner is cold roast beef. I generally go to a saloon and get a dinner on Sundays, of coffee or whatever I want. I generally go to church on Sunday. Last summer we sometimes had apple sauce, but it was never properly cooked. I know of no particular ill treatment except as regards food. The punishments are light and generally consist of sending early to bed or depriving of the privilege of going out. I have known the walls of my sleeping apartment to be very wet, they are frequently damp. I never made any complaint to the managers of bad treatment. Never heard any complaints made by other boys to the managers. We have all we want to eat such as it is. No one eats with the pupils. The teachers eat in the same room, at the same time, but at a separate table. I have had tea off their table which was sweeter and stronger than that on ours. I have eaten pie from their table. The teachers' table has a different waiter from the pupils'. There has been a decided improvement since we sent up our petition. My object in coming here was to learn some trade or to become proficient in music, so as to support myself. We have ten music

lessons a week and the privilege of practicing on the piano one hour a week. I was set, when I came here, to making brooms, but since I have been put at work at mats. Neither in broom making or mat making have I ever had instruction. A boy, a pupil, has shown me how to sew a broom. There are teachers in the broom shop and the mat shop, but they do not give us any instruction.

HENRY ^{his} ~~X~~ PUGH.
mark

Sworn and subscribed to before me, }
this 27th day of February, 1864, }
D. STRONG, *Chairman of Com.*

PATRICK BOYLE—being sworn, says: I shall be 22 years old next month; reside in this city; have no home except the institution; have relations in the city of New York; have been an inmate of this institution six years next May; am here at the expense of the State; I have been sick and while sick I went to the sick room by permission and received the best of treatment from the nurse, but no attention from the attending physician, Dr. Clements; he came but merely looked at me; I had a severe pain in my chest and it was thought I was going into consumption; our food is often improperly cooked; our roast meat is often too rare; our cabbage is often too much cooked; it is not seasoned or flavored; the last two weeks there has been a general improvement; the meat has been frequently tainted in warm weather; we had tainted pork on the 28th of January last; I estimate that we have had tainted meat from thirty to fifty times since I have been here; never noticed it until Mr. Cooper left, about two years ago; on Saturdays we have roast beef regularly, bread, potatoes and gravy; the potatoes are often bad and are frequently badly cooked; the butter is frequently bad, it is generally fair; I have known the codfish to smell strong; the pupils have separate tables from the teachers, in the same room; there is a waiter at each table; I know a year ago last spring a case of a young man who was taken sick and went to the sick room and was ordered away by the physician—he had to be taken back very soon and died; his name was Peter Graceman; we have enough of food such as it is, but when it is well cooked, there is not sufficient to satisfy our appetites; another pupil died soon after Graceman—his name was Washington Freeland, supposed to have died for want of care and attention; there are other boys going about the house sick and apparently consumptive, who receive no proper attention; Dr. Clements is the physician; think he comes to the house every morning; I am of the belief that he does not give adequate attention to his patients; I know something of the three trades that are taught here, viz: mat making, broom making, mattress making; I am master of

neither of them ; I have been moved from one shop to the other just as they happened to want hands ; it is in part my own fault that I have been shifted about in this matter ; I consented to it ; I think the foreman in the broom shop has never desired to teach the pupils the art of broom making ; have never been punished corporeally ; have heard that on the 27th of January, Chas. T. Lewis, a pupil, was struck by the superintendent for making complaint about tainted meat ; I have been before the managers and made complaint of the quality and cooking of the food ; they appeared willing to hear, but it seemed as if they wished to baffle us ; within the last five weeks we had the interview with the managers and since there has been an improvement ; there has been a complaint made to the managers about the dormitories, the walls and beds are frequently damp, the roof is leaky, the dampness generally occurs during a storm ; I think some of the teachers incompetent ; Mr. Alvah Canfield, one of the teachers in the English department, I consider incompetent ; I consider the superintendent partial and malicious ; those of us who signed the petition find our liberties very much abridged since ; things are noticed which were not formerly and are not noticed in the other pupils ; there has been a great want of cleanliness in the dining room, the tables were very greasy and the seats dirty ; since we sent up our petition there has been an improvement in this respect ; before that they had been dirty for two or three years ; the reason the petition was not more generally signed was that we had to be secret about it for fear that we would be interrupted by the officers ; we held our meetings outside of the institution ;

his
PATRICK ✕ BOYLE.
mark.

Subscribed and sworn before me, }
this 27th day of February, 1864, }

D. STRONG, *Chairman of Com.*

SARAH DONNELLY—I am an inmate of the institution ; have been here 3 years the 19th of last September ; my parents reside at 338 east 16th street ; lost my sight at about twelve years of age ; the bread is sometimes sour, when not sour it is generally stale ; the meat is very frequently spoiled ; butter is miserable, it smelled unpleasantly ; we have bread puddings about every other Friday ; we are taught bead work and crochet knitting, but nothing that any one could make a living at ; we are in class, receive six lessons a day in English branches ; the teachers, so far as I can judge, are competent ; when charges are made against us, Mr. Wait informs us that we have been charged with offence and punishes us accordingly without giving us an opportunity to disprove the charges ; the punishments to the girls are reprimand and depriving us of the liberty to go to church, &c. ; the teachers are generally kind

in their deportment to us; the sleeping apartments are very damp, and the roof leaks badly during rain; I have known pails to be put under the leaks in the roof to catch the water; have known of this more than a year; within the last few weeks our food and cookery have sensibly improved; the bread and butter are better than they were; do not think that persons who have lost their sight are more critical as to their food than others, or more prone to suspicion; I can not think of anything that could be taught to blind girls to enable them to earn a living; I have improved in my education since I have been here; I have learned a good deal of geography, of physiology, of grammar, and mental arithmetic; since Mr. Wait has been in charge several of us have been deprived of the right of practicing at the piano—formerly we had an hour a day each; Mr. Wait has limited this privilege to a much smaller number; I enjoyed my musical practice very much and regretted the change; I think I have capacity enough in music to have become proficient enough for a teacher had my practice continued.

SARAH DONNELLY.

Subscribed and sworn to before me, }
this 27th day of February, 1864, }

D. STRONG, *Chairman of Com.*

LOUISA HAMMOND, sworn—Have been here nearly seven years; my parents live in Chapaqua, Westchester county; I am 18 years of age; am a State pupil; have learned music enough here to support myself; I could also teach grammar, history and arithmetic; have acquired all my knowledge on this subject since I came here; I know Sarah Donnelly; she sings very nicely; do not know about her musical capacity in general; I have heard many of the young ladies complain of the quality of the food; I think there is some reason for the complaints; the butter and meat are not generally good; the meat has frequently tasted as if it were tainted, and the butter is often strong and frowsy; the female teachers dine at separate tables from the pupils, in the same room; these are the blind teachers; the teachers who see dine in a separate apartment; my treatment from the officers and teachers has always been kind; I think music is very thoroughly taught here, more so during the past year than at any former time; Mr. Thomas is the professor; never have seen any harsh treatment towards pupils from any one in authority.

her
LOUISA ~~X~~ HAMMOND.
mark.

Subscribed and sworn to before me, }
this 27th day of February, 1864, }

D. STRONG, *Chairman of Com.*

MARY MALVINA LAYTON—Is from State of New Jersey; has been here seven years; was nine and a half years old when she

came; her state allows her eight years; has no complaint to make on her own account; has noticed at times that the meats have been tainted; butter strong; place is as cleanly as can well be; the use of tobacco has been offensive—spitting in the girls' department; soiled her dress; does not think it is as bad now as it formerly was; have no suggestions to make concerning any work or trade that could be learned by the girls whereby they could earn a living after leaving the institution; lost eyesight from scarlet fever; the walls of the upper dormitory are sometimes damp; I sleep in the lower, which is not damp; each sleeps alone; beds are clean; Mrs. Hays, the matron, has been seen to take damp clothes out to dry them; I have complained; quite a number of us did to Mr. Wait that the hash was sour and the meat strong, on certain days; he undertook to explain the cause; this was the 28th of January last; he said he had examined the butter himself, but even then could not get things right; he said we should always come to him if we had any complaint to make—that he would redress it if possible; this last conversation took place day before yesterday, Thursday; have heard some of the girls say they had no dinners here—perhaps exaggerated; but there have been complaints; thinks that many, even most of them, are of poor parents, and have no better food at home; they are carried away with excitement at times.

MARY MALVINA ^{her} LAYTON.
mark.

Subscribed and sworn before me, }
this 27th day of Feb., 1864, }
D. STRONG, *Chairman of Com.*

MARY JANE DUNN—My parents live in Buffalo; my mother is living, not my father; I have been here between two and three years; am a State pupil; my treatment was always very kind until Monday, ten weeks, since then I have been constantly punished; on that day they were preparing the classes for an exhibition; Mr. Babcock was the teacher; it was in mental arithmetic; I did not answer the question sufficiently loud, at least so Mr. Babcock said; Mr. Babcock inquired why I did not; I told him I had not had any breakfast that day, in consequence of the bad quality of the food, the butter was rancid; Mr. Babcock ordered me to go and sit in the office; I went there and staid till the next day; I was suffering from a severe cold at the time, and the office was very chilly; I sent the next morning for Mr. Wait and appealed to him, saying that my health was not equal to staying there; he declined to interfere; he ordered me to stand up on the office floor; I refused; he then took hold of my arm to make me stand up, and I told him to let go or he would regret it; he did let go and I then went and stood up as he directed; I have been kept in the office ever since, away from my classes by way of punishment until yesterday; I occupy the lower dor-

mitory, it is cold and somewhat damp, but not so much so as the upper dormitory; as to food witness agrees with previous witnesses.

MARY JANE ^{her} ~~X~~ DUNN.
mark.

Subscribed and sworn to this }
27th day of February 1864. }

D. STRONG *Chairman of Committee.*

WM. B. WAIT—Am superintendent; commenced in that capacity Oct. 1st, 1863; had been connected with the institution about three years before that, not immediately before that; upwards of a year had intervened, during which I was engaged in the practice of law. (Charges shown witness.) Henry Pugh and David Winters, who sign this paper, have not been connected with the institution over a few months; the charge that pupils have been neglected and improperly treated by managers and officers of the institution, is groundless and false; the charge that teachers are unqualified is, in my opinion, untrue; I consider them well qualified, without exception; cleanliness is as much attended to as it can be, some of the pupils chew tobacco and indulge in other unclean habits which makes it difficult to preserve neatness; it is not true that the dormitories are damp or that the roof leaks; there was a leak in the roof about three months ago, but it was repaired at once; know of no instance where meat that is tainted has been served up at the table; the same bread, butter and meat that are cooked for the pupils, are served up on the teachers' table; the State pays \$200 a year for ever State pupil and the several counties from which they come pay thirty dollars each pupil for clothing; the rules of the institution prohibit the use of tobacco anywhere about the premises, but it is used by some pupils in defiance of law; I can not state of my own knowledge that there has been no tainted meat at any time on the pupils' tables; it is the business of the steward and the matron to look after the supplies; complaint has been made to me that the tables and seats in the girls' dining-room were dirty; this was soon after I came here, and in one instance only; I visited the boys' dormitory on an average at least once a day; for a month prior to my assuming the duty of superintendent there was virtually no superintendence; several of the officers had left and the superintendent was sick; the punishments are light, sitting in the office and deprivation of the right to go out; when denied liberty to go out, they are required to attend religious worship in the institution, if on Sunday; when a pupil is sent to the office he or she is required to remain there until willing to obey the rules, or until further punishment is remitted; a year if necessary, although in less time than that I should wish them sent away entirely; they are sent there for being disobedient, contumacious or insulting; Mary Jane Dunn was sent there for

refusing to obey the teacher and to answer questions audibly ; she sent for me and when I arrived was disobedient, stubborn and insulting to me ; she has been there ever since Monday week ; I said to her, " Mary Jane, stand up ; " she said, " I will not ; " I stamped my foot and repeated the order ; she said no gentleman would stamp his foot at a young lady ; I have offered to excuse her if she would make proper acknowledgments ; she refuses and is still in contempt ; she has not attended church in the chapel since she has been in duress, I believe ; if she has not attended it is a violation of the rules, for which she is liable to punishment unless specially excused ; do not know where she was last Sunday ; the orders to her were to remain in the office daily from breakfast time to bed time, unless I consented to her going elsewhere ; I cannot say whether I did or did not excuse her from the office last Sunday ; I never had occasion to punish her in any previous instance ; she has a good reputation, but is considered stubborn.

W. B. WAIT.

Subscribed and sworn to before me, }
 this 27th day of February, 1864, }
 D. STRONG, *Chairman of Com.*

At seven o'clock the committee adjourned.

APRIL 1st, 1864—11 o'clock, A. M.

Present—Senators Strong and Fields.

WM. B. WAIT, recalled : The expression that is made in my former testimony given on Feb. 27th before the committee, regarding the confinement of a year's duration for disobedience of orders, was more in colloquial conversation, to carry the idea of obedience and respect to the rules, and not that we would have inflicted any such punishment as that, and to any such extent ; as such a thing has never been done, and never would be done.

PATRICK DOYLE, sworn : Q. [By Mr. Strong.] What has taken place since our last examination, with reference to the treatment of pupils ? A. There may have been some little changes made, such as the cleaning up of the house ; I have not noticed any dirt on the table since.

Q. Is the food any better ? A. There is a little more attention given to the preparation of the food ; the quality I do not think is changed ; the articles that we have are about the same ; the only exception is in the preparation.

Q. How is it about your dormitories ? A. I don't know that there have been any alterations made.

Q. Has there been any threat made of turning any of the pupils out of the institution ? A. I have heard such talk ; there has not been any such threat made to me.

Q. Who have you heard of as being threatened ? A. I have heard that a boy has been expelled from the institution ; his name is Carroll Beckwith.

Q. [By Mr. Fields.] When was he expelled? A. About two weeks ago.

Q. Since the committee were here? A. Yes, sir.

Q. Have you signed an appeal to the public in a paper, which is called An appeal to the public? A. I have; my name was put to one; I gave my consent to have my name put there.

Q. Was it read to you? A. I heard it read.

Q. Have you signed more than one paper since the committee were here? A. Only one.

Q. [By Mr. Strong.] Did you authorize any one to put your name to more than one paper? A. Not since you have been here.

Q. [By Mr. Fields.] Here is a paper dated March 7th, 1864, and I see that you have signed it. "Your petitioners respectfully show that as soon as said petition was made public," (the petition setting forth your grievances and asking for an investigation of the facts,) "a general cleaning up of the institution was had apparently with a view, as the pupils believe, to put the place in order before the visitation of the committee; that at one of the meal times a better meal than usual was served, and that on that occasion some persons were introduced here, strangers to the pupils, and that the food served on that occasion was then and there stated by the officers present to be a sample of the food usually served to the pupils, which statement your petitioner alleges was not true, but that said meal was fixed up for the occasion." Let me ask you about what time was this meal? A. This was before you came before.

Q. How long before? A. Along in the fore part of February.

Q. In what respect did that meal differ from your usual meals—you say it was better? A. In that meal we had some good mashed potatoes, and we had some good roast beef, better than are generally got, better prepared.

Q. How many persons were introduced? A. That I cannot tell.

Q. Did you say who they were? A. I think not, it seems to me they were the managers, I am not sure.

Q. I will read further "that the pupils heard a committee had been appointed, and they expected to be brought before said committee to make their statements, and were ready and willing and anxious to appear before said committee; that on Saturday the 27th day of February last, as your petitioners are informed I believe, the committee attended at the institution for about three hours, on which occasion all the pupils were locked up and confined in the dining room and not permitted to leave, and did not know at the time that the committee were in the institution; and in answer to their inquiries why they were thus locked up were told that it was none of their business." Is that true? A. That is true, I believe.

Q. Were you locked up? A. I was before you at the time.

Q. Were you locked up after we left? A. I was confined in

State of New York in the United States service," passed April 24, 1863, which is hereby appropriated and set apart:

First. For the purpose of defraying that portion of the cost and expenses apportioned to this State by the commissioners of the Soldiers' National Cemetery, at Gettysburg, in the State of Pennsylvania; and

Second. For the purchase of ten acres of land, to be the property of this State, near Sharpsburg, in the State of Maryland, for a cemetery, and to defray the expense of enclosing, laying out and ornamenting the same, the removal and burial of the dead, and for the erection of suitable monuments and headstones to mark the final resting place of the soldiers of this State, who fell or died of wounds received in the defence of the Union on the battle-field of Antietam in the autumn of 1862.

Sec. 2. This act shall take effect immediately.

State of New York.

No. 89.

IN SENATE,

April 7, 1864.

REPORT

OF THE COMMITTEE ON CHARITABLE AND RELIGIOUS SOCIETIES, AND THE TESTIMONY TAKEN BY THEM IN RELATION TO THE AFFAIRS OF THE NEW YORK INSTITUTION FOR THE BLIND.

NEW YORK, *February 27th*, 1864.

The committee on charitable and religious societies, to which was referred the petition of William Hoffman and seventeen others, pupils at the New York Institution of the Blind, complaining of improper treatment, neglect, and inefficiency of their teachers; assembled at said institution, at the city of New York, at the date above. Present, Senators Strong, Angel and Fields: Mr. Comstock officiated as secretary. The superintendent, Mr. Wait, made the following statement in answers to questions by the committee:

William Hoffman, one of the petitioners, left the institution on the 14th.

Charles T. Lewis, taken sick and now in Brooklyn with his aunt.

John James Westervelt, left about a week ago, stating that he was ill, and is now with his parents in the Eighth avenue.

Samuel Bennett is sick with his parents in New Jersey.

The following testimony was then taken, in each case the witness only, being present before the committee:

HENRY PUGH, one of the petitioners, being sworn says:—I live in Brooklyn, No. 7, Portland avenue; am, as near as I can remember, over 19 years, think I was 19 December 14th last. Have been an inmate here since 8th of last September. My parents are living. Am here at the expense of the State. Was here before, but only as visitor. The food given to us we do not consider good. We have had meat and fish that we did not like. It

smelled and tasted bad—it was tainted. Have often found the meat so hard and tough that I could hardly cut it. Sometimes the corned beef would crumble all to pieces; it seldom had any taste. Two or three times since I have been here I have found the meat tainted. Once since I came here I found the cake burnt so that I could not eat it. Our usual bill of fare is as follows: on Monday morning, at breakfast, we have bread, butter and tea; the tea is brought on the table with sugar and milk in it; the tea is always weak. At dinner we have beef soup, and the meat of which the soup is made, served up too. We have bread and potatoes daily, except Fridays, when I think we do not have potatoes. On Monday, for tea, we have bread and molasses, butter and tea. The butter is frequently strong, generally so. Tuesday morning we have coffee, milk and sugar in it. The coffee is pretty fair, we have also hashed meat and potatoes, bread and butter. Our Tuesday's dinner is a meat stew of beef; also soup, also potatoes and bread. The bread is generally pretty good. On no day in the week do we ever have pie or pudding, or stewed fruit, except that on Friday we sometimes have bread pudding. Our tea is the same as on Monday, and is the same every day in the week. We have coffee two days in every week, but I cannot say certainly on what days, think it is Wednesday and Sunday. Our Wednesday dinner is corn beef and cabbage, no soup, we have potatoes—no other vegetables—with bread, but no butter on Wednesday. Tea, same as on other evenings. Our breakfast is the same on Thursday and on all other days, with the exception of the two days when we have coffee. Thursday's dinner is pork and beans. Friday's dinner is fish, sometimes fish also, for breakfast on Friday. I do not eat the fish because it smelled and tasted so bad. It was fresh fish. On Saturday we have roast beef with bread and gravy. Our Sunday's dinner is cold roast beef. I generally go to a saloon and get a dinner on Sundays, of coffee or whatever I want. I generally go to church on Sunday. Last summer we sometimes had apple sauce, but it was never properly cooked. I know of no particular ill treatment except as regards food. The punishments are light and generally consist of sending early to bed or depriving of the privilege of going out. I have known the walls of my sleeping apartment to be very wet, they are frequently damp. I never made any complaint to the managers of bad treatment. Never heard any complaints made by other boys to the managers. We have all we want to eat such as it is. No one eats with the pupils. The teachers eat in the same room, at the same time, but at a separate table. I have had tea off their table which was sweeter and stronger than that on ours. I have eaten pie from their table. The teachers' table has a different waiter from the pupils'. There has been a decided improvement since we sent up our petition. My object in coming here was to learn some trade or to become proficient in music, so as to support myself. We have ten music

lessons a week and the privilege of practicing on the piano one hour a week. I was set, when I came here, to making brooms, but since I have been put at work at mats. Neither in broom making or mat making have I ever had instruction. A boy, a pupil, has shown me how to sew a broom. There are teachers in the broom shop and the mat shop, but they do not give us any instruction.

HENRY ^{his} ~~X~~ PUGH.
mark

Sworn and subscribed to before me, }
this 27th day of February, 1864, }
D. STRONG, *Chairman of Com.*

PATRICK BOYLE—being sworn, says: I shall be 22 years old next month; reside in this city; have no home except the institution; have relations in the city of New York; have been an inmate of this institution six years next May; am here at the expense of the State; I have been sick and while sick I went to the sick room by permission and received the best of treatment from the nurse, but no attention from the attending physician, Dr. Clements; he came but merely looked at me; I had a severe pain in my chest and it was thought I was going into consumption; our food is often improperly cooked; our roast meat is often too rare; our cabbage is often too much cooked; it is not seasoned or flavored; the last two weeks there has been a general improvement; the meat has been frequently tainted in warm weather; we had tainted pork on the 28th of January last; I estimate that we have had tainted meat from thirty to fifty times since I have been here; never noticed it until Mr. Cooper left, about two years ago; on Saturdays we have roast beef regularly, bread, potatoes and gravy; the potatoes are often bad and are frequently badly cooked; the butter is frequently bad, it is generally fair; I have known the codfish to smell strong; the pupils have separate tables from the teachers, in the same room; there is a waiter at each table; I know a year ago last spring a case of a young man who was taken sick and went to the sick room and was ordered away by the physician—he had to be taken back very soon and died; his name was Peter Graceman; we have enough of food such as it is, but when it is well cooked, there is not sufficient to satisfy our appetites; another pupil died soon after Graceman—his name was Washington Freeland, supposed to have died for want of care and attention; there are other boys going about the house sick and apparently consumptive, who receive no proper attention; Dr. Clements is the physician; think he comes to the house every morning; I am of the belief that he does not give adequate attention to his patients; I know something of the three trades that are taught here, viz: mat making, broom making, mattress making; I am master of

neither of them ; I have been moved from one shop to the other just as they happened to want hands ; it is in part my own fault that I have been shifted about in this matter ; I consented to it ; I think the foreman in the broom shop has never desired to teach the pupils the art of broom making ; have never been punished corporeally ; have heard that on the 27th of January, Chas. T. Lewis, a pupil, was struck by the superintendent for making complaint about tainted meat ; I have been before the managers and made complaint of the quality and cooking of the food ; they appeared willing to hear, but it seemed as if they wished to baffle us ; within the last five weeks we had the interview with the managers and since there has been an improvement ; there has been a complaint made to the managers about the dormitories, the walls and beds are frequently damp, the roof is leaky, the dampness generally occurs during a storm ; I think some of the teachers incompetent ; Mr. Alvah Canfield, one of the teachers in the English department, I consider incompetent ; I consider the superintendent partial and malicious ; those of us who signed the petition find our liberties very much abridged since ; things are noticed which were not formerly and are not noticed in the other pupils ; there has been a great want of cleanliness in the dining room, the tables were very greasy and the seats dirty ; since we sent up our petition there has been an improvement in this respect ; before that they had been dirty for two or three years ; the reason the petition was not more generally signed was that we had to be secret about it for fear that we would be interrupted by the officers ; we held our meetings outside of the institution ;

his
PATRICK X BOYLE.
mark.

Subscribed and sworn before me, }
this 27th day of February, 1864, }

D. STRONG, *Chairman of Com.*

SARAH DONNELLY—I am an inmate of the institution ; have been here 3 years the 19th of last September ; my parents reside at 338 east 16th street ; lost my sight at about twelve years of age ; the bread is sometimes sour, when not sour it is generally stale ; the meat is very frequently spoiled ; butter is miserable, it smelled unpleasantly ; we have bread puddings about every other Friday ; we are taught bead work and crochet knitting, but nothing that any one could make a living at ; we are in class, receive six lessons a day in English branches ; the teachers, so far as I can judge, are competent ; when charges are made against us, Mr. Wait informs us that we have been charged with offence and punishes us accordingly without giving us an opportunity to disprove the charges ; the punishments to the girls are reprimand and depriving us of the liberty to go to church, &c. ; the teachers are generally kind

in their deportment to us; the sleeping apartments are very damp, and the roof leaks badly during rain; I have known pails to be put under the leaks in the roof to catch the water; have known of this more than a year; within the last few weeks our food and cookery have sensibly improved; the bread and butter are better than they were; do not think that persons who have lost their sight are more critical as to their food than others, or more prone to suspicion; I can not think of anything that could be taught to blind girls to enable them to earn a living; I have improved in my education since I have been here; I have learned a good deal of geography, of physiology, of grammar, and mental arithmetic; since Mr. Wait has been in charge several of us have been deprived of the right of practicing at the piano—formerly we had an hour a day each; Mr. Wait has limited this privilege to a much smaller number; I enjoyed my musical practice very much and regretted the change; I think I have capacity enough in music to have become proficient enough for a teacher had my practice continued.

SARAH DONNELLY.

Subscribed and sworn to before me, }
 this 27th day of February, 1864, }
 D. STRONG, *Chairman of Com.*

LOUISA HAMMOND, sworn—Have been here nearly seven years; my parents live in Chapaqua, Westchester county; I am 18 years of age; am a State pupil; have learned music enough here to support myself; I could also teach grammar, history and arithmetic; have acquired all my knowledge on this subject since I came here; I know Sarah Donnelly; she sings very nicely; do not know about her musical capacity in general; I have heard many of the young ladies complain of the quality of the food; I think there is some reason for the complaints; the butter and meat are not generally good; the meat has frequently tasted as if it were tainted, and the butter is often strong and frowsy; the female teachers dine at separate tables from the pupils, in the same room; these are the blind teachers; the teachers who see dine in a separate apartment; my treatment from the officers and teachers has always been kind; I think music is very thoroughly taught here, more so during the past year than at any former time; Mr. Thomas is the professor; never have seen any harsh treatment towards pupils from any one in authority.

her
 LOUISA ~~X~~ HAMMOND.
 mark.

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come down and see me; I thought he ought to do so; I was informed that the carpenter was nailing up the gate between this building and the other building, so that I could not get to my room; the buildings had been sold at this time; he seemed to be very determined to have me in the institution, and to have his own way about it; he never consulted the managers according to his own statement: although he promised me that he would see the managers, he did not do so; as soon as he got the gate nailed up, of course I left the institution.

Q. The day you say you were sent for to come up and see him you did see him? A. I came here to the library, but I did not see him.

Q. Had you any musical knowledge when you came here? A. Yes, sir, I had taken some lessons before I came here; I had learned the theory of music.

Q. During the time you were here did you advance in your knowledge of music—did you improve? A. That is the question with me; very many people think I have not improved.

Q. What do you think about it, yourself; you know whether you can play better now, and are more competent to teach than when you came here? A. I could not exactly give you my ideas about it.

Q. You don't know whether you have improved or not? A. I think I have improved some, but not as much as I ought to.

Q. Do you teach music to any one? A. No, sir, not at present.

Q. Have you taught, except in the institution? A. Yes, sir, some outside.

Q. During the time you were here what was the character of the food—speak from your own personal knowledge? A. I think the food was very poor; the first two years it was bad.

Q. Was it within the last year or two? A. I think it has been within the last two years. I live on bread and milk; I could not eat the meat.

Q. Since Mr. Wait was the superintendent has the food been bad? A. Yes, sir, it has been bad; the meat has been rotten and tainted, and the bread has been sour. Sometimes it might be different, but as a general thing it was very poor: so much so that I had to take some medicine to regulate my system.

Q. Do you attribute the want of good health to the food that you had here? A. A medical man told me so—Dr. Edwards, of this city, one of the physicians of the College of Physicians and Surgeons, in Twenty-third street. He is now in Europe, I believe.

Q. Is there any other physician you can mention who is within reach? A. Dr. Fowler—he asked me about the food. I had thought or believed that I had the consumption. He said to me, "You ought to get more exercise, and take more food." There is also Dr. Jones, in Thirty-fourth street, near Broadway; he can give you an idea.

Q. Have these physicians treated you? A. Dr. Jones and Dr. Edwards. The pupils of this institution have a very poor doctor, who does not know anything.

Q. Have the pupils attending this institution been attended by those physicians that you now speak of? A. Yes, sir.

Q. Are the pupils here "constantly ill-used and beaten"? A. Since I have been here I have constantly heard something of the kind.

Q. Do you know anything of it of your own knowledge? A. When I first came here there were boys who showed me how they had been beaten, and their ears pulled.

Q. Within the last two years? A. I have been informed that Charles Lewis went to Mr. Wait about the cheese, and Mr. Waite slapped him in the face.

Q. Is that the only case you have heard of? A. I have heard of others, but I don't remember the particulars. I have heard about a girl being dragged across the schoolroom. Patrick Boyle will remember about that.

Q. See if you can think of any other case but that of Charles Lewis, and this girl that you speak of, who was dragged out of her seat, across the floor? A. Not within the last two years.

Q. [By Mr. Strong.] What do you understand was the cause of Lewis' getting his face slapped? A. He went to Mr. Wait, and he said, "Mr. Wait, the cheese is rotten; we cannot eat it."

Q. Did you hear him say it? A. No, sir.

Q. Did Lewis tell you so? A. Yes, sir.

Q. What was the cause of Mr. Wait's slapping his face? A. He told me that the thing happened, he did not tell me the particulars, but the other boys told me; I understood the cause to be that he told Mr. Wait that the cheese was rotten and not fit to be eaten, and Mr. Wait turned round and struck him.

Q. With his fist or with his open hand? A. With his fist, as I heard; I don't know as he made his nose bleed.

Q. [By Mr. Fields.] Is there any fact or instance in relation to the management of this institution that you wish to inform the committee of, other than those you have now sworn to? A. Not that I now think of.

Q. [By Mr. Strong.] Were you ever beaten? A. No, sir.

Q. [By Mr. Fields.] Were you ever present when anyone was beaten? A. I think I have been walking in one of the halls when I have heard boys holla.

Q. Within the last two years? A. Longer ago than that.

Q. Within the last two years have you ever heard any such thing, to your knowledge, of any one being beaten, except what you have stated? A. No, sir.

Q. [By Mr. Strong.] Did you ever make any complaint to any one of the food? A. I thought it useless; I complained to some of the pupils and some of the teachers.

Q. Did you make any complaint to the superintendent? A. No, sir, I did not in person.

Q. Did you make any complaint to the trustees of the institution, or the managers? A. No, sir, because I did not think it worth while; I was told it would not do any good.

ALFRED COLLINS sworn:

Q. [By Mr. Fields.] Tell us your age, residence, and how long you have been here? A. I have been here about 2 years and 7 months; reside now in Rochester, Monroe county; was sent here from Dansville, Livingston county.

Q. During the time you have been here in this institution what has been your treatment in regard to food and in every other respect? A. I have always been treated very well since I have been here.

Q. What has been the character of your food? A. The food has been generally substantial.

Q. Has it been sweet and wholesome, or has it been tainted and inferior? A. The food has been generally wholesome in quality.

Q. How often have you come across meat that smelt bad and tasted bad? A. I can remember one occasion on which the meat smelt bad and I referred it to the matron and she changed it; that is the only special occasion that I remember of; that was more than a month ago.

Q. Do you live as well here as you did at home with regard to substantial food? A. Yes, sir; with regard to dainties and delicacies, of course I do not think we have them here.

Q. Do you have sufficient to eat? A. Yes, sir; there is always an abundance.

Q. As a general thing do you wish to have the committee understand that the food has been wholesome and properly cooked? A. As a general thing it is pretty well cooked, although in reference to that it is very hard to say anything special about it; I have noticed when the potatoes would be cold and the meat might have been over-done or not entirely done.

Q. Are such occasions exceptional or general; is the food generally well cooked? A. It is oftener well cooked than badly cooked; the majority of the times I should say it would be good; you asked me about the food being cooked badly; what would you call being cooked badly?

Q. Is it dished up in a sloppy, unpalatable way, and the vegetables cooked improperly, so as to be unpalatable? A. In reference to that I am speaking more of meats; the meat, for instance—might not be sufficiently boiled to suit me; it might suit other people.

Q. Your vegetables—are they ordinarily cooked well, or are they served up to you in an unpalatable manner? A. I have had vegetables set on my plate sometimes that would be cold

and improperly done; but I have asked the waiter to find another portion which would be better done, and she sometimes could find it and sometimes could not.

Q. As a general thing, have you anything to complain of to this committee in regard to the food in this institution, taking all the circumstances into consideration, taking the number of pupils and everything? A. I consider that as to the matter of food I consider, generally, that I have got the worth of my money.

Q. What I mean to ask you is this—have you anything to complain of to this committee as to your treatment here in regard to your food: are you satisfied and contented with your treatment in this respect? A. Yes sir, I am perfectly satisfied.

Q. [By Mr. Strong:] Have you ever made any complaint to the officers of the institution here as to the food not being cooked well? A. I made some to the matron, I think, on one or two occasions, not more than that.

Q. Did you ever make any complaint at all to Mr. Wait about it? A. No sir—no more than when they were first talking about the food here, about a month or so ago; I told him and the managers that the pork and the meat, in my opinion, was strong and bad; I told them that I did not like it and did not wish to eat it; I stated that, in my opinion, the meat was bad, that I did not think it was good; and then afterwards, as I did not consider that I was a judge, I inquired about the pork, and I find that all pork that is packed up in barrels has a pretty strong taste.

Q. How is it with your coffee and tea, do you relish them? A. The tea is weak.

Q. Do you have a good supply of sugar and milk? A. It is sweetened sufficiently to suit me; but with reference to milk, I would like to have plenty of milk in my tea if I could.

Q. How is it with the butter? A. The butter is always very good, and the bread is very good. I have tasted sour bread on one or two occasions; not more than once or twice.

Q. [By Mr. Fields:] How is it as to your sleeping apartments, is your bed dry? A. Yes sir; I sleep in the large dormitory.

Q. Is it damp during the rainy weather? A. The walls seem to secrete moisture.

Q. Did you ever hear boys complaining about the walls being damp? A. Yes sir, I have heard them say that their clothing would be damp; that the clothes hanging on the bed in damp weather, would feel quite damp. There is no heat in the dormitory in winter, except what might escape from the halls. There used to be grates in the dormitories, but they have not been used in any time—not within two years.

Q. Were you ever beaten or ill used? A. No sir, I have always been used pretty well.

Q. Do you know of any pupils having been beaten, or ever hear any one speak of any pupils being beaten? A. I never saw

any one being beaten; I heard that Mr. Wait slapped Charles Lewis; that is the only case to my knowledge.

CHARLES G. OTTO sworn :

Q. [By Mr. Fields.] You may give us your age, residence, and how long you have been in the institution? **A.** I reside in Hoboken, Hudson county, New Jersey; am a State pupil of New Jersey; have been here 10 years and 5 months; am 19 years of age next June.

Q. During the time you have been here what has been your treatment generally? **A.** Since I have been 12 I can well remember the time when the beds have been damp and the food was very poor, and the house in general seemed to show a want of proper ventilation.

Q. Confine yourself to 2 years—what has been the character of the house and your treatment within the last two years? **A.** Within the last two years the food has been poor, as before generally very poor, sometimes very unpalatable, sometimes the food has been spoiled.

Q. Unpalatable from the character of the food, or from the manner in which it was cooked—was it tainted? **A.** Sometimes from the manner in which it was cooked, sometimes the meat would be tainted; on Thursday when we have pork and beans, the pork has been tainted and the beans would be uncleanly, and there seems as though there was a want of something in the cooking.

Q. How long is it since this has occurred? **A.** The last time I can mark as a special time was the 28th of June last, the pork then was tainted.

Q. Can you remember previously to that when in any particular instance the pork was tainted? **A.** I could not tell you exactly any particular time.

Q. Have you any means by which you can inform the committee how often during the past year you have found your food tainted? **A.** I could not inform you how many times since the holidays; I can remember that the meat was poor and tainted two or three weeks after Christmas; cold meat has been put on the table which I did not myself touch; it was tainted; I would have eaten of it, only one of the pupils remarked that it was tainted; I remember other times but I cannot give dates; I cannot mention dates.

Q. How many times within the past year—20 times? **A.** I have, fully as often as that; half the time I did not eat meat.

Q. What do you usually eat? **A.** I do not eat meat half the time, for I do not think it is palatable; I eat bread, which is generally good; the butter is very poor; latterly, in the last three or 4 weeks it has been pretty palatable, but before that it was very poor and strong.

Q. Was this often? **A.** Yes, sir, for a week without exception.

Q. Was that in the summer, fall, or winter? A. This was last January and February of the past winter.

Q. How is it in regard to your sleeping apartments? A. The roof leaks.

Q. Are you in the upper or the lower dormitory? A. In the same one with the last witness; my bed has been damp; there are a dozen beds between his and mine.

Q. Did you ever feel of his bed? A. I never felt of his; mine has been damp within the last two years, generally during storms.

Q. Does this dampness arise from the stone walls, or from a leak in the roof? A. I think the dampness in my room was caused by a leak in the roof.

Q. Has your bed been damp this last week during those terrific storms that we have had? A. Not particularly damp, it has shown moisture.

Q. What do you do there? A. I am learning the broom trade.

Q. How have you been treated since you have been here during the past two years? A. I have not been mistreated myself.

Q. Is it true that the pupils in the school are frequently beaten and ill-treated for trivial causes? A. Such has been the case.

Q. Within the two years past? A. I have heard of persons being beaten.

Q. Who? A. Charles Lewis is one person, and I heard that Roosevelt Morris, Alfred Burnham, and Wm. Gardner were; I have heard of others being beaten; I was not myself witness to any such thing; I have never been beaten myself within the two past years; I was struck once, in my 12th year; I have never been struck since.

Q. What is the punishment for any violation of the rules? A. Now a days it is refusal of permission to go out.

Q. [By Mr. Strong.] Did you ever make any complaint of your treatment to Mr. Wait or any of the officers? A. I have not; other pupils have.

Q. Did you ever make any complaint about the dampness of your bed? A. No, sir, not myself.

Q. How came you to sign this petition in which you state that you are "constantly ill used and beaten for the most trivial causes;" is that true? A. So far as the food is concerned I consider that I have been ill-used; and I complained once to Mr. Wait about the shops; but I received no fair answer.

Q. What was your complaint? A. The shop needs a competent person to teach it; the person himself acknowledged to me the first day he came that he did not understand the trade; the day before I heard him remark to the superintendent that it was the first time he had ever seen any person work at it; that is Mr. Derry; he is there now; I complained to Mr. Wait, telling him that, and I remonstrated against having a person of that kind put there; and I told him that the shops would not be able to keep up.

Q. Is he competent or incompetent? A. He is incompetent I should say, if he cannot teach the trade.

Q. You did not tell me how you came to sign this paper, under what circumstances, who asked you to do it? A. I signed it of my own free will; I understand this paper says there have been persons who have been ill-used; I have not been myself.

Q. That "they are constantly ill-treated and beaten for the most trivial causes;" is that true? A. Not as regards myself; I have been ill-used, but not beaten.

Q. Were you the first one that signed the paper? A. I was there when the rest signed it, at the place where it was signed, in Mr. Hoffman's room in the lower building.

Q. Did you ever have any difficulty with Mr. Hoffman? A. No, sir, we are passably friends—had a little difficulty.

Q. What induced him to ask you to sign it; what did he say to you? A. He did not induce me to sign it.

Q. Who drew the paper up? A. The paper was drawn up by a prominent lawyer in this city—Mr. Tillou.

Q. Who employed him to draw it up? A. Mr. Hoffman; he was authorized, or at least was requested by some of the pupils to see that such a paper was drawn up; they held a meeting on the 28th of January.

Q. At his room? A. Not at that time.

Q. Where was the meeting held when it was agreed that he should have the paper drawn up? A. It was held in the hall leading to his room; he was not there at the time.

Q. Who took charge of the paper after it was drawn up? A. He had it I think, as near as I know.

Q. [By Mr. Fields.] Is there any fact or circumstance in regard to the treatment of pupils or conduct of the institution that you would desire to lay before the committee that you have not mentioned? A. I have not spoken of the teachers in the school; from what I know of their qualifications I think they are scarcely qualified for the places they hold.

Q. Will you give us their names? A. Mr. Canfield is sorely qualified; he teaches the junior and intermediate classes, teaches geography; I have heard answers given to questions asked by pupils; I belong to no class at all; I am a graduate from the senior class—at least I have left the senior class.

Q. Who was your teacher? A. Mr. Wait, when I first entered the senior class.

Q. Was he a good teacher? A. He was, until the latter part of his time; then, I think, he did not attend to this class as he might to have done.

Q. Why do you state here that you have graduated from the senior class? A. Because I have not learned the trade properly.

Q. How long have you worked at your trade now? A. About a year.

Q. Have you made any progress? A. I think I am competent to work at the trade.

Q. Do they pay you for working here, at all? A. They do during the term; before the last year they pay us one-sixth of what we earn, and the last year they pay full earnings.

Q. Are you receiving only one-sixth of your earnings? A. I am receiving my full pay; I received one-sixth last year; it amounted to about 37 cents.

Q. How many brooms did you make? A. I did not keep any account, for I did not consider it worth keeping.

Q. How many brooms do you think you made? A. I know I generally averaged 2 or 3 a day; I only worked in the afternoon; you must remember that it is only from February to June—5 months.

Q. That would be 125 working days; 3 brooms a day would be would be 375 brooms? A. Yes, sir.

Q. And your one-sixth of the profits was only 37 cents—is that true? A. I know that I made my 2 or 3 brooms a day; I used to size the corn.

Q. You made 2 or 3 brooms a day besides sizing the corn? A. I sized two days out of the week—sometimes 3 days; 2 or 3 days I worked; I only count 5 working days a week.

Q. When you received your 37 cents did you say that you thought you were entitled to more? A. I did not.

Q. Who paid you these 37 cents? A. It was paid to me by the steward—Mr. Baldwin; he is not here now.

Q. Who is the steward now? A. I think Mr. Ambler has the position now.

Q. Why did you not ask for more than three shillings? A. There was no need of asking for more, when you know that you are not going to get more.

Q. Why did you say so? A. I did not keep a regular account.

Q. [By Mr. Fields.] During the time that the committee met here before were you locked up in the dining room? A. I left the dining room about a minute before it was locked up; the scholars were in there.

Q. How do you know? A. I passed the lower piazza afterwards and heard them in there.

GEORGE HULTZE sworn.

Q. [By Mr. Fields.] Please state your age, residence, and how long you have been an inmate of the institution? A. I have been here 5 years; I am from Flatbush, Long Island; my parents reside there.

Q. Have you got any complaints to make in regard to your treatment in this institution? A. The food is not good; I do not eat much of anything; once in a while I tasted a piece of meat, but I did not like it and put it right down; it was not good; I think the meat smells bad at every meal—the pork and the beef both; the bread is good; the butter is usually strong.

Q. Have you ever made any complaints in regard to anything

of this kind? A. I went to Mr. Wait about the dinner, and he says, "you do not take exercise enough"; I asked him to let one of the boys out and get me something to eat; the beds are damp, very damp, every time there are damp days; I mean the upper dormitories.

Q. Have you ever been beaten? A. I have been beaten by Mr. Babcock; he took a hold of my arm once when I made a little noise, and asked me what I meant; he squeezed it a little, but did not hurt me any.

Q. Did he scold you at the time? A. He asked me what I meant by making a noise; I have been beaten by Mr. Cooper.

Q. How long ago was that? A. Over two years ago; since then I have not been beaten, with the exception of this taking hold of my arm by Mr. Babcock; but I have been sent to bed by Mr. Wait, and have been kept in the office.

Q. For violating the rules? A. Yes, sir, one day I did not sing in the singing class and he kept me in the office after supper; he sent me to bed without my supper.

Q. Are the pupils ill-treated and beaten? A. Not that I remember.

Q. You have not signed any paper? A. No, sir.

Q. [By Mr. Strong.] Why did you not sign it? A. I did not know anything about it until after it was all done; they did not speak to me about it.

Q. Have you received any portion of your earnings? A. 43 cents; one-sixth for one year; Mr. Baldwin paid me that.

Q. How many pounds of corn can you size a day? A. I do not know exactly; we take it by apron's full.

Q. In sizing corn how much are you allowed for 100 brooms? A. Three shillings.

Q. In your judgment can you size 100 in a day? A. I can size about four apron's full.

Q. How much will that be? A. 25 lbs, I should think.

Q. Have you any other complaint to make in regard to the institution, more than you have now stated? A. I think they do not take good care of one when sick; I was not exactly well when they told me to go out of the sick room.

Q. Were you attended there by a physician? A. I was attended by Dr. Clements; I do not think he did me any good; I was sick over a week; I had a very bad cold; I have had the measles and the erysipelas since I have been here.

Q. Were you born blind? A. No, sir, I got blind by a cow striking me with her horns; she gored my eyes out.

Q. I see that your clothes do not look very good? A. We do not get very good cloths, and after we get a pair of shoes they will be creased the next day; I have had this suit a little over a year; I have got another suit; this is my every day suit that I have got on now; I have a suit that I wear on Sabbath days, holidays, and when I go out to see my friends; I change my shirts

every Sunday; don't have a shirt to sleep in; wear the same shirt that I sleep in; bathe every Saturday; every Saturday we get a clean towel; have soap to wash with every day, but I buy my own soap, the soap that we get here is not good, being common brown soap; I change my stockings every Sunday; don't have a different pair of shoes for Sunday; am required to clean my own shoes; clean them every Saturday night; there is no rule in regard to it; I have never heard the superintendent speak about anything being wrong in regard to my clothes when I go to chapel; one time Mr. Rankin asked me if I had not better clothes, and after a while I got a suit.

JOHN H McCABE, sworn:

Q. [By Mr. Fields.] You may give the committee your age, residence, and how long you have been in the institution? A. I reside in this city, in Seventeenth street, between First and Second avenues; I have been here four years; I pick hair for mattresses; I have been engaged at that for six or eight months; I am not entitled to any portion of my earnings.

Q. During the time you have been here how have you been treated? A. I find the food has not been very good.

Q. Has the statement that you heard the last two pupils make in regard to the character of the food as being tainted, correct? A. Yes, sir; and the butter has been strong; I have heard a great many complaints about the food; the pork that we get on Thursdays has been tainted, and the beef has been tainted; the butter used to be very strong; it is pretty good now; the bread is good.

Q. How is it about your sleeping apartments? A. My bed has been a little damp, but not much; I am in the upper dormitory.

Q. Has it been so damp as to be unhealthy—have you received any cold from sleeping in it? A. No, sir.

Q. Have you been sick? A. I have had colds and headaches.

Q. Did you receive any medical treatment there? A. Once in a while I go and get something for a cold from Mrs. Quail; she was always kind and would listen to my complaints if I was ill.

Q. Have you received any education? A. Yes, sir, I attended the primary class—Miss Murphy is my teacher; I studied spelling and took lessons in reading and forms; I was in the institution when the committee were here last February; was locked up in the dining room; we were all locked up during the time the committee were here.

Q. Why was that? A. I don't know the reason; we were not locked up very long—about fifteen or twenty minutes longer than usual.

Q. Is the dining room locked up when you are dining? A. Yes, sir, when there is reading at breakfast; we do not have

reading at dinner; the dining room is not locked up when we are dining; it was locked up this day when the committee were here; I do not know the reason why it was locked up.

Q. [By Mr. Strong.] Was it not longer than two hours that you were locked up? A. I guess it was about an hour.

Q. Was it not about two hours? A. I do not think it was two hours.

Q. [By Mr. Fields.] Are you any judge of time; can you tell an hour from a half an hour? A. Yes, sir.

Q. Have you ever been beaten here? A. No, sir, not by the superintendent, nor by any of the teachers, they have never struck me or ill-used me; I have no complaints to make at all, any more than I have said; I have never made any complaints to the superintendent that I have been ill-treated, or that the food has been very bad.

HENRY BARNES, sworn:

I reside in Hillsburgh, Jefferson county; have been here six months the 17th day of April; am learning a trade; am in the primary class, and Miss Murphy and Miss Hutchins are my teachers; Mr. Canfield, my teacher, is usually kind; I have no fault to find with them; I have no fault to find with the food or the sleeping apartments. I eat bread and butter mostly; I do not use the meat at all.

Q. [By Mr. Fields:] Why do you not eat the meat? A. I do not like meat; I never eat meat at home. My sleeping apartment is very good; I have heard other boys complain of theirs. I have never been ill treated and have no complaints to make to the committee in regard to my apartments. I am treated as well as I desire to be.

Q. Were you locked up in the dining room when the committee were here before? A. I was locked up for ten or fifteen minutes. I do not know why. I had never been locked up in the dining room before, only mornings, and that is to keep the pupils back that are late, or who do not get down in time, so that the superintendent shall know who is there; it is very unusual to lock us up. They did not give us any reason for it. I have never been sick here. I have not signed any paper. I was asked to sign a paper, but I would not. I believe I was asked by Boyle. I do not know whether Pugh asked me or not; I could not say certainly who did ask me.

Q. Why did you decline to sign it? A. I had no complaints to make.

Q. Have you ever heard these boys talking about Mr. Hoffman? A. Not a great deal. I know nothing particularly of him. The boys looked upon him as a friend of theirs. He was going to leave them.

JOHN WESLEY SIGH, sworn:

Q. [By Mr. Fields:] Just tell the committee what complaints

you have to make about the institution and its management? A. I have just the same as the other boys, about the food, the sleeping apartments, and the other things. The food, I think, is very bad; the meat is bad sometimes, and when we have had hash, it has been sour, generally; but since the committee has been down, it has not been so much so; it is not cooked rightly.

Q. Is your meat any better than it was? A. I have not had tainted meat that I recollect of, since the committee were here; we had it before,—tainted beef and tainted pork.

Q. Did you ever complain to Mr. Wait? A. Mr. Wait has been around to our tables and I have told it to him, and he said he would try to make it better; I have told him about the tea, and such things. He said that he went to the kitchen and told the servants to do so and so, and they did not seem to mind it, and he said he would have them mind him.

Q. How long has Mr. Wait been here? A. I think he has not been here long; not a year.

Q. Has your food been improving since he has been here? A. I think with every superintendent we get, it has been growing worse; since Mr. Wait came we have not had things that we got before. I have been here five years and 6 months; came from New Jersey. I have had to move my bed on account of the wet coming down on my bed—woke up in the night and had to go to another boy's bed. This was in Mr. Rankin's time.

Q. Within the two past years has your bed been damp? A. Yes sir; if the snow was allowed to remain on the roof the wet would come in.

Q. When there is no snow storm, and it is a damp, muggy day, will the walls be damp? A. Yes sir; any rainy day you can go and put your hand upon the wall and wipe off the water. I have rubbed my coat against the wall, and it would be wet. I have never been beaten within the last two years. Mr. Cooper once struck me in the mouth. I have not been beaten by Mr. Wait or Mr. Rankin.

Q. [By Mr. Fields:] I suppose you boys here are about as mischievous as boys generally are? A. Yes sir.

Q. Do you chew tobacco? A. I do not; a good many of the boys, pretty near all of them, chew tobacco.

Q. Has that not caused a good deal of trouble? A. Yes, sir.

Q. Has not Mr. Wait been very anxious to prevent it? A. I do not think he has much; he has given out in the chapel that they must not do it.

Q. Is there not a standing rule against using tobacco? A. Yes, sir.

Q. What is your punishment for the violation of any of the rules of the institution? A. The larger boys will have their passes taken from them; the smaller boys will be sent to bed without their supper; we are permitted for exercise to go into the street Mondays, Wednesdays, and every second Friday; on the

days we are not allowed to go into the street, we are allowed to go into the back yard; the boys walk up and down; they do not play much; they have a ladder that they can climb up, and they have a pole down in the yard.

Q. Has your sight improved since you have been here? A. No, sir; I had an operation performed, but it did not do me any good.

Q. [By Mr. Strong.] I see that you have got very good clothes on, are they furnished by the institution? A. Yes, sir; the coat that I have on is my best.

Q. Are your clothes better than those of the other boys? A. I got this coat last winter; I try to take care of my clothes; I change my shirt twice and three times a week; some of the boys do not have shirts with bosoms; most of the boys have got bad clothes some way; Mr. Ambler is the tailor, and he makes up the clothes and brings them up.

Q. [By Mr. Fields.] How many suits of clothes do you get a year? A. Two; we get one in the spring; we get two shirts every summer—cotton shirts with linen bosoms, and a handkerchief; my parents do not contribute to my support; I have no support, excepting from the State of Jersey.

Q. Is there anything that you desire to state to the committee that you have not already stated? A. I would like to state about the shops; I am learning the mat trade and I do not want to; I asked Mr. Wait to change me from that to the broom trade; most of the boys want to learn the broom trade, because they cannot get along with the mat trade; it requires a good deal of money to set them up in that business, and if you work in the broom trade you can make money enough to support you with.

Q. If you understood mat working, some man would hire you? A. Nobody wants to do that; the boys all want to start for themselves.

Q. Did you receive one-sixth of what you earned? A. Yes, sir; it amounted to 20 shillings last year.

Q. How many days did you work last year? A. I do not know exactly; I think about 60 days.

Q. Do you think you received your share of what you earned? A. I think I did, last year; one year I worked there in the afternoon, and I worked every day and only got 14 cents; that was the year before last; there were two or three other boys went into the shop and the boys got their names mixed up by the foreman; I never kept any account; Mr. Derry is my boss now.

THEODORE BEATTY sworn.

I reside 84 Fulton street, Brooklyn; my parents are living there; have been here 3 years in September; I am learning the mat trade, and have been engaged about a year at it, and have made progress at it—can make a skeleton mat—that is all; I have not progressed so rapidly as I expected; I have not had a chance of learning to weave.

Q. Have you asked them to advance you more rapidly? A. I asked him and he said he would as soon as he got time to fix his loom; they are the looms which he can work upon in the shop; there are some looms which are not in order.

Q. Are all the looms which are in order employed now? A. No, sir.

Q. How are you treated here? A. I do not think I am treated very well; I have not been beaten or struck by the officers; my food, I think, is very bad; for the last 3 or 4 weeks I think it has been better than ever since I have been in the house; there has been an improvement in it.

Q. What has been the matter with the food? A. The meat has been tainted; the butter is strong, the bread is hard and stale, and sometimes sour; the rice is pretty good what we have of it; we have plenty of rice; that is good; the molasses that we eat is sometimes good and sometimes it is not; it sometimes has a taste of tar. I have not made any complaints to any of the officers because it would not do any good; I have never tried; Charles Lewis complained about the food and the superintendent struck him.

Q. What part of the food did he complain of to you? A. I believe it was about the meat.

Q. Did Charles Lewis say anything to you about it? A. He told me about it; he said that he complained about the meat and the superintendent struck him. My bed was damp and I had to get into another bed; the dormitory leaked; it was about a year ago; it was during a rain storm.

Q. Have you removed your bed? A. I have not moved my bed since.

Q. Does the bed you sleep in now stand where the bed did then? A. It has been moved.

Q. It is dry now? A. I have seen three pails of water that stood at the head of my bed since the holidays; I think Ellen Paterson will know about it.

Q. What class do you attend? A. Sub-senior, Mr. Babcock's; I am satisfied with my teachers if they would stay in the school room a little more than they do; they do not stay the whole hour; I do not know what the reason is; they are not teaching other classes.

Q. Is there any time during your study hours that you have no teacher in your room? A. Yes, sir.

Q. How often does that occur? A. I have known it occur three or four times a week.

Q. How long have they been absent, leaving the pupils without any one? A. Ten or twenty minutes; sometimes a whole hour.

Q. [By Mr. Strong.] Do you mean to say that there are times when there may be no teacher at all in the room for an hour? A.

Yes, sir, the teachers will go out and leave a whole class to themselves for an hour.

Q. Does that occur often? A. Not for a whole hour it does not.

Q. Does this absence of the teachers occur often? A. Yes, sir.

Q. How many hours do you have to study? A. Six hours.

Q. How is that divided? A. Each hour is called 44 minutes, and there is a minute for changing classes.

Q. And the other portion of the time you have for recreation? A. For shop work.

Q. You have 32 minutes in the two hours; do you go into the shop to work? A. We go to the shop from a quarter to two and five o'clock in the afternoon.

Q. In the morning how long do you go to school? A. We meet every day to prayers at 42 minutes past 12.

Q. After prayers, are you all the time studying? A. No, sir, there is a recess of 20 minutes; all the balance of the time we are reciting, when the teachers are there; we recite in the same room in which we study.

Q. How old are you? A. Nineteen.

Q. Are there any other complaints which you would like to make in regard to your treatment as regards food, or anything else, which you have not stated to the committee? A. I would like to say about the dining room that I have gone into the dining room and have put my hand onto the table and it would stick fast; that would be when I first went into the dining room, before they had said a blessing.

Q. How often do you have rice and molasses at dinner? A. Not before to-day in a month.

Q. What did your meal consist of to-day? A. Rice, molasses, bread, butter and tea; we had no meat.

Q. What do you usually have in the place of rice and molasses? A. Sometimes bread, butter and tea.

Q. Do you not always have meat for dinner? A. No, sir, not on Fridays; we have fish, which I would not eat.

Q. What is the trouble with it? A. Because it is not fit to eat, it is tainted, or it is so salt.

[By Mr. Stong.] Did you ever make any complaint to the superintendent at all, in respect to the ill-treatment as to food? A. No, sir.

[By Mr. Field.] How long since you have tasted fish yourself that was cooked to be eaten on Friday? A. It is over a month.

Q. The last time you tasted fish on a Friday what was the matter with it? A. The last time I tasted it was, I think four weeks to-day, and the fish I had on my plate was not properly cooked, it was not done enough; it was fresh fish that day; it was not tainted.

Q. Previous to that how long was it since you tasted fish on a Friday? A. That was the first time I had tasted fish since New Year's eve.

Q. On New Year's eve did you taste the fish? A. No, sir.

Q. Before New Year's eve when did you notice that the fish was ever tainted? A. I never eat any salt cod fish since I have been in the house, and I never tasted any because of the smell.

Q. Did you ever eat it at home? A. Sometimes.

Q. What does your father do for a living? A. Nothing, now.

Q. [By Mr. Strong.] Have you ever been sick here? A. No, sir; I was in the sick room one day.

Q. Do you use tobacco? A. Yes, sir.

Q. Is not against the rules to use it? A. Yes, sir.

Q. Why do you violate the rule—do you not think it wrong to do so? A. I know it is wrong to use tobacco; I do not chew it in the building.

Q. Have you had any in your mouth since dinner? A. Out on the piazza.

Q. Have you got any complaints about the institution anything more than you have stated? A. No, sir.

JOHN MALLOY sworn :

I am about 20 years old; I have been here since September 1859; am from Rondout, Ulster county; my eyes were injured by blasting.

Q. [By Mr. Fields.] Have you any complaint to make to this committee with regard to your treatment? A. I wish to say simply as regards the food, that it is very often unfit to be used during my time, because it has not been properly prepared; the hash is sour; the bread is pretty generally good; the butter sometimes not fit to be used, strong and very salty; our vegetables are pretty good, except the cabbage which is not fit to be used, it is cooked and put on the table just as it is taken out of the water; we can get salt when we call for it and pepper; I don't know anything about having any mustard, I have called for mustard once or twice, but there was not any there.

Q. [By Mr. Strong.] Do you have any meat besides beef and pork—do not you get any lamb or mutton? A. No, sir, beef and pork, smoked beef and corned beef.

Q. How is it about your sleeping apartments? A. I like the bed, but the dormitory has leaked several times.

Q. Are the walls damp? A. I never felt them.

Q. Does your bed feel damp when you get into it at night? A. Yes, sir.

Q. Have you received any ill effects from it? A. I havenot.

Q. Have you had any treatment for your eyes since you have been here? A. They were entirely gone when I came here; I could not see any; I work in the shops; the first work I did was in the broom trade; I am now in the mat trade; I have been in it since a year ago last December; I can weave a mat.

Q. Have you had every facility in the shop that you desired to progress in your trade? A. All the chances that I required; the boss of the shop, Mr. Derry, has treated me kindly.

Q. Does he understand his trade? A. He has not taught me anything but what I knew before I came here; he is not long here; he has been here about three or four months.

Q. Is he a blind man? A. He can see.

Q. Have you ever been ill-treated or struck by any one connected with the institution? A. No, sir; there has never been any punishment inflicted upon me.

Q. Do you recollect the day that the committee were here before? A. I think they were here on Saturday; we were locked up that day in the dining room, we did not know for what.

Q. Was it more than half an hour? A. It might be something more; I do not think it was an hour.

Q. Did not you know what you were locked up for? A. I did not know; Thomas Buskin called the matron, Mrs. Hayes, and asked her, "what does this mean, to have us locked up;" she said: "it is none of your business;" that is all I know about it.

Q. Is there anything else that you wish to complain of? A. The food is better prepared now for the last five or six weeks than it was before.

Q. Are you allowed to go to church? A. In the forenoon; but we must stay in the afternoon; we had permission to go out in the afternoon to our own churches, but the rule was established to keep us in here; I am a catholic, and in the morning I am allowed to go to that church; but in the afternoon we are compelled to go to the chapel.

Q. Whether you desire to do so or not? A. That is the rule.

Q. Do they compel you to go to the chapel? A. We have the order to go; we understand it is the rule of the house.

Q. [By Mr. Fields.] What has been your desire—to attend the chapel in the afternoon or not; have you told the superintendent that you would rather stay out? A. I have not.

Q. Who preaches in the chapel in the afternoon? A. There are different ministers.

Q. Why have you not told the superintendent that you did not desire to go to the chapel in the afternoon—that you were a catholic? A. I thought he would not allow me to be absent more than anybody else.

Q. [By Mr. Strong.] Do you chew tobacco? A. I chewed before I came here and I tried to give it up.

Q. Have they spit boxes around in the halls? A. I do not spit in the halls since the rule was strictly enforced prohibiting tobacco.

Q. You never told the superintendent that you were a catholic and did not want to go to chapel? A. No, sir, I never told him.

EDWARD C. DILLON, sworn:

I have been here three years next October; am from this city; 44 Carmine street; I am 19 years old next October; my sight has not improved any since I have been here; I have had no

operation performed upon my eyes; my sight has grown worse; it is amaurosis; I am trying to learn the mat trade; have been ever since the last vacation; I went in about last September.

Q. [By Mr. Strong.] Previous to that were you in any shop?

A. No, sir; I asked the superintendent four times to let me go into any shop, but he did not do so.

Q. What advantages or chances did you have of learning your trade here? A. I have not any.

Q. Not any? A. I do not suppose they will give me a chance.

Q. Why? A. I have asked for weaving, and have been twisting and filling.

Q. Have you spoken to the boss of the shop about it, telling him you wanted more chance? A. Yes, sir; he said he could not give it me; he made the excuse that the looms were out of order; in the mat shop they first put them to pick and prepare the filling, and then after that they put them to make skeleton mats; some at that, and some at weaving.

Q. The first thing is to prepare your materials for making a mat? A. Yes, sir.

Q. And the next is to make a skeleton mat? A. Yes, sir.

Q. The next would be to weave and fill it? A. I do not know what it would be.

Q. Would you consider that you knew your trade if you were put to weaving a mat before you knew how to prepare the materials?

A. The making of skeleton mats has nothing to do with the weaving of mats.

Q. You are preparing the filling? A. I am braiding to make skeleton mats.

Q. And you desire to be put to weaving? A. Yes, sir.

Q. What complaints have you to make in regard to food. A. My food is very bad indeed; I have had to leave the dining-room from the smell of codfish, and what they call the stew, and tainted corned beef.

Q. Has that occurred before? A. I have often left the dining room on account of the meat.

Q. How often in a week would it average during the year?

A. Two or three times a week, I should judge.

Q. Did you complain to any one about the meat? A. There was no use in complaining about it.

Q. Have you made any complaint? A. No, sir.

Q. Have you been before the managers of the institution on any examination? A. No, sir.

Q. Have you ever signed any paper to present to the managers, making complaint setting forth your grievances? A. No, sir.

Q. Did you sign a paper to the Legislature? A. I did.

Q. At whose request? A. I did it of my own accord.

Q. Where did you get the paper? A. The petition was made up by a lawyer, Mr. Tillou, and I signed it.

Q. Have you been beaten in this establishment? A. No, sir.

Q. Is it true that the students are generally beaten for trifling things? A. They have been beaten, two I think, for trivial offences during my time—John Flandreau and Charles Lewis.

Q. Is Flandreau here now? A. He is here.

Q. Did Charles Lewis tell you that he went to Mr. Wait to complain of the meat, and that Mr. Wait struck him? A. He told Mr. Wait about the meat being tainted, and Mr. Wait came up and struck him; I believe it was in the face.

Q. Did he strike him with the flat of the hand, or with his fist? A. I could not testify to that.

Q. Does Charles Lewis ever tell you stories? A. I never caught him in any.

Q. [By Mr. Fields:] Is it true that the pupils here are "ill used and beaten for the most trivial causes" constantly? A. I should call it ill used going to damp beds and eating sour hash.

Q. Are they beaten? A. Not now. Charles Lewis was beaten before that first petition.

Q. Is it true that the pupils are, as a general thing, "beaten for the most trivial causes"? A. Not now. During my time I do not know of but two instances, and those I have given. I have made no complaints; either to the superintendent or the managers in regard to my treatment.

Q. Have you anything more to say to the committee in regard to these matters? A. Yes sir, about the dormitories—they leak, and there have been pails of water standing at my bed. Ellen Patterson took them, I suppose. I do not think the teachers we have are competent. My teachers are Mr. Babcock and Mr. Baldwin, and Miss Hutchins.

Q. In what respect are they incompetent? A. They leave the classes. Mr. Baldwin has left our class whole hours; we have no teacher whatever—and at other times has left the class in a pupil's hands. When I was in arithmetic he would give it to Lindley Lyon and John Westervelt; I believe Westervelt is at home. I wish to complain of the clothing. We have to go to one tailor for our clothing, and have to pay him whatever price he sees fit to charge; he can bring old duds, twenty years old, and say they are just in the style, and we have to take them; he is the institution tailor, got by the institution, and of course we cannot go anywhere else; we do not have the handling of our money for our clothes; the suit I have on is not my best suit; I have had this since last November or December.

Q. Do you know what that suit was charged to you? A. I believe \$20; I gave \$10 for my coat; it was all shoddy; it all pulled out; I took two caps full of shoddy out of it.

Q. Do you buy clothing for yourself? A. Father has.

Q. Your father buys your clothing? A. Some of it, and some I get from the institution; we are allowed only \$30; I could get a better coat than what the tailor gave me for \$10; and could get one that would not fall to pieces.

Q. Do you use tobacco ? A. I use it on account of hunger.

Q. Have you had plenty to eat ? A. I have had to leave the dining-room on account of the smell.

Q. How many times a year ? A. I think I have left it twenty times; I would be willing to swear that I have left the dining-room twenty times on account of the smell.

Q. How many of the other boys went away with you ? A. I don't know whether any other one left; sometimes there have been others.

Q. Was it on account of the fish ? A. It has been on account of the fish and the meat.

Q. Is your stomach delicate ? A. No, sir.

Q. Have you made complaint to your father in regard to the food ? A. I have since last vacation; I did not want to give my father or mother any anxiety about the matter, and so I pushed it through. My father has six children living now, one older than me; he (my father) is at the war in the 40th Mozart regiment; I think he is a hospital steward; he went out as private.

Q. Did he come to see you ? A. Not at the institution; I went home to see him.

Q. Do your parents and friends have free access to see you when they please ? A. To see me in the parlor; I have complained to my mother in regard to my treatment here; she has not spoken to the superintendent about it.

Q. Is there anything else that you want to say to the committee; how often do you have your shirts changed ? A. Twice a week; I have a hand towel once a week, and a bath towel; I have clean napkins once a week at the dinner table. I want to complain about the cleanliness of the house. I have gone into the dining-room and my hand would stick to the table if I put it on to it; before I would sit down at the table it would be so; I have had molasses and grease, both, on my stool; and the superintendent has said in the chapel that to go into one of the school rooms that the smell was enough to stifle anybody.

Q. Did that arise from the fact that the boys did not keep themselves clean ? A. I do not think it did; I think it arises from the fact that the rooms were not kept clean.

Q. Are you instructed in cleanliness and required to keep yourselves clean ? A. Yes, sir, we have a bath tub, but I have been in the bath tub and found slime and everything on the bottom of it; since we sent our petition to the Legislature they have cleaned up things; I clean my boots two or three times a week—sometimes every day; I have heard nothing about any regulation about that; my stockings I change twice a week; there is no regulation about that; we do just as we please about it.

Q. Is the superintendent often in at the dinner table ? A. No, sir

GEORGE W. STERRITT *sworn*.

I am 22 years old; reside in this city at 84 1st avenue; my father is dead, my mother is living; I have been in the institution since a year ago last September; am trying to learn a trade; was not born blind; I had my eyes knocked out by accident; the eyes I have are artificial; they were put in before I came here; I got them after I was appointed; I lost the sight of one of my eyes when I was 5 years old, by a stick, and the other was knocked out by a stone; I am learning the mat trade; was put there against my will, under the direction of the superintendent, Mr. Rankin; I wanted to learn the broom trade; that is a trade that a person can get work at and make more at it.

Q. [By Mr. Fields.] Is the broom shop full? A. There is plenty of room, but there is no one to teach them; I have no particular desire now to learn; I have worked at it; I can make a kind of a broom.

Q. How long did you work at the broom business? A. About five months.

Q. Can you make a mat now? A. Yes, sir; I can make a skeleton mat, and I can weave the jute.

Q. Is the superintendent of the mat shop competent? A. I do not know; he treats me, personally, kindly.

Q. Does he seem to have an interest in you—is he desirous that you should progress? A. I do not know but he would be if the shop was stocked with material as it should be.

Q. Is not the shop properly stocked? A. No, sir; it has never been properly stocked since I have been appointed; we have had to wait months.

Q. Does that arise from the fact that there is not a demand for what you make? A. A part of the time it is; I believe we have sold all the mats that we have made up; some of them we could not, we were new beginners.

Q. By feeling of a mat can you tell its quality, what it is? A. I can tell whether it is made badly.

Q. What complaint have you to make in regard to food? A. The food generally is very bad—unpalatable; I believe I have eaten fish two or three times, when I first came here; I have not taken fresh fish since the holidays.

Q. Has the fish been tainted? A. I could not say whether it was tainted, but the smell is sometimes bad; I have had to leave the dining room sometimes on account of the smell; between the codfish and the meat I have had to leave the dining room on account of the smell at least 12 times; the meat sometimes would be good if it was properly cooked.

Q. Is not your cooking satisfactory? A. Nothing is cooked satisfactory unless the bread; the meat that I get sometimes has no taste in it at all; at other times it is not half cooked—no seasoning in it, and the potatoes, when they have been brought in, have been nearly cold; the dining room is generally very bad,

and the stools very dirty; the bathing room have been very dirty and unclean, and Mr. Wait announced in the chapel that the second middling sized room was enough to stifle any one going in there.

Q. That he attributed to the uncleanness? A. Partly.

Q. Do you use tobacco? A. I do once in a while—not in the institution; I don't chew.

Q. Are the habits of the boys cleanly? A. Generally—the elder pupils.

Q. Do those who use tobacco, spit around the room? A. They used to, before Mr. Wait took charge, but they do not now; the dormitories have been very damp and wet; I sleep next to Beatty.

Q. I see that you have signed this paper, have you been ill-treated? A. I have.

Q. In what way? A. I have been taken out of the shop and put where I do not want to be.

Q. Ever beaten? A. No, sir; generally the officers when they speak to us do not speak to us kindly; they feel themselves above the pupils; their treatment is harsh and they deprive us of going out; we are only allowed to go out on every other day, and if we should go out and not be in in time to answer prayers, our pass is taken away from us; if we do not give an excuse that is reasonable, our passes will be taken away from us and kept a week.

Q. Is it the rule to be back by prayers? A. Yes, sir.

Q. And your pass is taken away for violating one of the rules, (I suppose) without giving a reasonable excuse for that violation? A. Yes, sir.

Q. Let me ask you, is it true that the pupils are "constantly beaten" in the establishment? A. Not at the present time.

Q. Has it been done during your time? A. Only of those two—Charles Lewis and John Flandreau.

Q. Do you know why Lewis was beaten? A. I do not.

Q. Did he ever tell you? A. Not personally; as regards the broom trade, I would like to speak of that; we had no teacher in that; we had a teacher before Mr. Wait came, his name was John Martin.

Q. Why did he leave? A. I suppose Mr. Derry was a friend of Mr. Wait.

Q. Was Martin turned out after Mr. Wait came? A. Yes, sir, and also Hayes; Hayes was a graduate from this institution; Martin was the broom boss; I do not know where he is now.

Q. Do you receive any compensation for your work? A. One-sixth, I believe, of all work which we make that is saleable, and the last year we get full pay.

PETER G. WARD sworn.

I came here from Chester town, Warren county, two years the 1st of next July; I do not think I have been treated well here,

in some respects, in regard to food, our sleeping apartments, the bathing, and the cleanliness of the dining room; the napkin that I have at dinner I generally use for no other purpose than to wipe my stool with, because the stool, as a general thing, is dirty; I often find molasses and gravy on it when I go into the dining room; I always have the same seat; the uncleanness comes from the fact that it has not been kept clean; it is kept dirty; the food is often unpalatable; but for the last three or four weeks it has been very good; there has been some improvement made; but before that, as a general thing, the meat was tainted and not properly cooked; I have not complained about it, for I knew that other pupils have, and it did no good, so I did not.

Q. [By Mr. Fields.] Is your dormitory clean? A. As a general thing it has been damp; by that means I have taken cold; the bed sometimes has been very damp; another thing—the windows are generally kept shut, so that the dormitories are not thoroughly ventilated, so that it would be almost suffocating there.

Q. What are you learning here? A. The mat trade, I work 4 days a week in the shop.

Q. Were you in the broom shop before? A. I was in the last year, just at the end of the term; I went in for a few days; I cannot tell whether I would like the mat making or not; I cannot tell much about the shops for I have not had much to do with them.

Q. Have you any other complaints to make? A. In the scholars' department I do not think that the teachers' are competent to teach the pupils; I am attending the intermediate class; the teachers are Miss More, Miss Katy Murphy and Miss Cox; some of them do not generally go into the class until the hour is half out, and by the time we just get ready to commence studying, then the bell rings to go to another class, and a great deal of time is wasted in that way.

Q. [By Mr. Strong.] How is it about your clothing? A. I do not think they do the fair thing in regard to our clothing.

Q. Do they give you a clean change of underclothing? A. Yes, sir, once or twice a week, if we choose, as a general thing.

Q. How is it about stockings? A. I do not get any here; I buy them myself; my father and mother are both dead; all I receive is from the State, and I have some friends besides who give me money; we have to take clothes here that have been made for a long time; they are new of course, but then they are clothes which have been made up for a good while for they are not in the fashion, but they make us pay the price for them; they ought to give us good clothes for \$30 a year; this suit that I have got on—the coat and vest—I have had nearly a year; the coat and vest were charged to me at \$11; I have not worn the coat every day.

Q. Have you ever been sick? A. Two or three times, when I first came here.

Q. Did you have conversation with some gentleman one Sunday? A. With Mr. Strong, I believe it was, I was told it was him afterwards.

Q. Mr. Wait was present on the stairway? A. I believe he was.

Q. Did he ever scold you for talking there? A. No, sir.

Q. [By Mr. Fields.] You were here last day when the committee was here before? A. I was; I was in the dining room; we were all locked up; I do not know for what; I cannot tell exactly for how long we were locked up, I think it was about three quarters of an hour.

Q. Have you any other complaints to make to the committee? A. I have never been struck or abused, nor has any bad language been used towards me; I think there has been partiality shown towards some of the pupils; I don't think they are any better behaved than others; they have permission to get out a great many times when others could not get out.

JOSEPH SANDERS sworn :

I am 18 years old last January, and reside in New York city; I have been in the institution 6 years and over 2 months; I first tried the mat trade; I requested leave to go into the broom shop from that, but I was sent into the mattress shop; I am not there now.

Q. How long were you there? A. A few months learning picking hair, and a part of the time making mattresses.

Q. From there you went into the broom shop? A. Yes, sir, at my own request.

Q. How long did you remain there? A. About four months.

Q. Did you learn the trade? A. I had a pretty good idea of the trade before the change was made; the foreman, (Mr. Derry,) acknowledged before me that he had never seen a broom made before he came there, and I saw no use of my being there, and I left.

Q. Is he a pupil? A. He is an outside man; I think he is put there as a sham; Linley Lyons is put there now.

Q. Does he understand the trade? A. I do not think he understands it any better.

Q. Is he a kind of a foreman in the shop? A. As a shop hand, but the managers told one of the pupils that he is the teacher, and that makes me think it is all a farce; Mr. Derry is a seeing man; he came here from Boston, and he is the foreman in reality of the shop.

Q. Can you make a broom? A. I can make a kind of a broom—a common broom.

Q. You left making brooms for what reason? A. For the reason that Mr. Derry was placed there and he did not know anything about brooms.

Q. Has not the superintendent requested you to go to your trade again? A. No, sir, he has not.

Q. Do you not have a rule that you shall work so many hours a day at your trade? A. Yes, sir.

Q. Has he not asked you to do this; has he not made complaint about it? A. As I did not work at the broom trade I got changed to the mat trade; I am now weaving mats.

Q. Have you ever received compensation for your services? A. One-sixth.

Q. What did it amount to last year? A. The first year it amounted to 50 cents; I was only in a few months; the last year it amounted to about \$4 or \$5, and \$4 or \$5 I earned for over work, which would make about \$9.50.

Q. Have you got all you are entitled to? A. I have never thought of it; if I learn the trade it is sufficient; I wanted to learn the broom trade, because it is the only one of the three we can make a living out of after we leave here.

Q. How is it about your food? A. It is generally bad; as regards the meat it has been tainted since I have been here in the house, especially during the last three years, except during the six or eight weeks just past; it has been tainted once or twice in a month.

Q. Does this apply to fresh fish and corned beef? A. Yes, sir.

Q. So that, taking them all together, you think it is twice a month? A. Yes, sir, it might be more and it might be less; I complained to Mr. Wait the first time he came to the house about the fish.

Q. What did he say? A. He laughed and went out, and went into the library; I heard him laughing.

Q. Is your butter good? A. It has been spoiled—strong.

Q. Is it usually good or bad? A. For a week or two it is bad; as a general thing it has been bad for a week or two; as regards the hash, I have seen it sour every morning for two weeks; I have called on Madame and asked her why it was sour—I mean the housekeeper there—Mrs. Demorard, (Mrs. Hayes is housekeeper now); we had sour hash in the latter part of the winter and spring a year ago.

Q. Since Mr. Wait has been here has the food been of the same character? A. Up to the time of our petition I have known it to be sour; since that we have lived better; our dormitories, within the last three months, whenever there has been heavy rain, or a snow storm, have not leaked so much.

Q. Are they dry and comfortable now? A. Yes, sir, because they have been fixed.

Q. Have you ever been beaten in the institution? A. Once I was struck by Mr. Cooper with his hand about five years ago.

Q. Have you been within the last two years? A. No, sir.

Q. Have you known of pupils being beaten? A. No more than of Charles Lewis and John Flandreau; as regards the

scholars I do not think the teachers are competent; when I signed that petition I thought to the best of my opinion that they were beaten.

Q. [By Mr. Strong.] How long have you known Mr. Hoffman?
A. For the last three or four years; he is generally a pretty good sort of a man—kind, gentle and pleasant always.

Q. When he talks to you about the institution, does he talk against it, trying to prejudice you? A. If I know anything against the institution I am just as ready to say it as the next man.

Q. [By Mr. Fields.] How came you to sign the petition in which you state "that we are constantly ill-used and beaten for the most trivial causes?" A. Charles Lewis and Flandreau were ill-treated; before that I had been in Mr. Babcock's singing class; the second singing class; he never beat me, but he took two of the small pupils, Thomas Fletcher and John Osborn, by the shoulder, or by the arm, and knocked them down, so that they would fall very heavy on the floor, and he would get his foot upon them; I have heard the boys fall upon the floor; I have heard them cry, (they are not here now,) and boys who stood along side of them say that he put his foot over them; and then there was one of the boys (John Donnelly) stole some money, and this boy treated the rest of the boys with some candy and other things that he bought with the money; he told them that he had got it outside, but it came out that it was stolen, and Mr. Babcock had us up; I had had some of the candy that was bought with the money at the time; I was taken up, and Mr. Babcock spoke to me about it; I told him what I knew about it, and that John was just as innocent as I knew I was; he asked John about it and he denied it, and he told him what he knew about it, and whipped him for it; as regards the teachers, I do not believe Alfred Canfield is competent; I have been in the class with him when Mr. Wait went to the war; he was put back; he was in a higher class than I was; I told him the sums, and now he is a teacher; I told him the sums when he has been asking questions about them; I have not been through the arithmetic; I have been as far as the equation of payments; I have not had much to do with Mr. Wait; the pupil who left would tell you more about him, because he has had cause to talk about Mr. Wait; Mr. Wait did abuse him; he told me the circumstances.

Q. Do you get any pay? A. Mr. Wait has told the pupils who left the shop for an hour that they would forfeit their pay for that.

Q. Is not that one of the regular rules, that if they leave the shop they forfeit the benefit? Is not that an established by-law of the institution? A. Yes, sir.

Q. Were you locked up in the dining-room the last time the committee were here? A. We were, about three-quarters of an hour; it might have been longer.

Q. Have you been threatened with expulsion from the institution? A. No, sir, not personally; others have been threatened; the managers threatened Carrol Beckwith, who was expelled.

Q. Has any one else been expelled? A. No, sir; I have never been threatened, because I have never been before the managers; there is a pupil here, Alfred Collins, who the last person spoke of being a favorite with the officers; he advanced the idea to the pupils, and advised them as a friend, that they should go to the managers and say they were sorry; for, said he "I advise you as a friend to retract, and go to the managers and say that you are sorry, as you know I have got great influence with the officers, or am pretty well acquainted with them, and if you do not retract you will be sorry for it; it will be the worse for you, and you will be expelled;" he is a pupil that can go out on any occasion—almost any time he wants to, when another cannot; he has spoken a dozen times with the girls alone, and he can go anywhere about the house alone, and can stay anywhere he wants to; but if another pupil is seen talking to one of the other sex he is punished, but Collins can sit and talk with them and he is not punished.

Q. Who does he talk to? A. There is Mary Donnelly; I do not know what he said to her.

JAMES H. ST. LAWRENCE *sworn*.

I am 16 years old; my friends lived in Detroit, Michigan, when I came to this institution to live here; I have been in the institution seven years the 19th of last month; my time is not yet out, I have got two or three years; this is the last year of my first appointment.

Q. [By Mr. Fields.] How have you been treated within the last two years? A. I think there has been a good deal of partiality shown in the way that the other two boys have told you of.

Q. Have you ever been struck? A. Two or three years ago I was struck.

Q. By what teacher? A. Mr. Babcock pulled me by the ears off the floor.

Q. Did you ever know of his taking boys and knocking them down? A. I would not swear positively that he put his foot on them after he had knocked them down; Johnnie Osborn was put under the piano, and when he would move a little he would push him with the foot.

Q. What is usually the conduct and the demeanor of Mr. Babcock to the pupils; is it harsh or unkind? A. Most generally it is, to some of the pupils; to some it is not.

Q. [By Mr. Strong.] Do the boys generally have hard feelings toward him? A. Some of them have hard feelings toward him because he struck them.

Q. Is he good to the good boys? A. He does not treat some of the good boys well.

Q. What complaint have you to make about the food? A. I have been in the house seven years; the first year I was here the food was somewhat decent; we used to get a great deal better food than we do now; the second year we got a little change, which was for the worse, and the third year it got worse again, and it has kept going on worse; in the last five years we have had bad food; this last year it was worse than ever, until the petition was sent up.

Q. Is the house more cleanly now than it has been? A. Yes, sir.

Q. Do you use tobacco? A. Yes, sir; I have often taken tobacco when I worked in the shop, because I felt hungry.

Q. Did the tobacco strengthen your stomach? A. It kept hunger away.

Q. Do you not have enough to eat? A. There is plenty of it, such as it is.

Q. How was your dinner to-day? A. It was a dinner that we do not usually have on Friday; once before I knew we would have a better dinner when you gentlemen were here.

Q. Did you know that we were coming before we got here? A. No, sir.

Q. Did you have a better dinner to-day than usual? A. Yes, sir, than we usually do on this day; we had molasses, rice, bread, butter and tea; we have had bread, butter and tea on some Fridays before; the last winter we did not have, only once in a while; one of the boys could not eat the codfish, and he got mad and left the dining-room, and the rest followed him; some of the boys went round the house shouting, and went down to the steward's room and asked him to give them something to eat.

Q. How many waiters do you have to wait upon you? A. One at each table, I guess; they have more than six or seven altogether in the dining-room.

Q. How many boys sit at one table? A. Eighteen at one; twelve at one; we have only one water to the table in front of me, and behind me they have one.

Q. How is it about your dormitories? A. They are not right; there is a great deal of complaint about them; I have caught many a cold of nights in a rain storm; I would go into my bed when it was damp; I am subject to sore throat, and the least thing will give me a cold, followed by headache; and it always hangs on to me for a week; I have felt the walls damp; I sleep in the upper dormitory; I have found the sheets of my bed damp; my pantaloons always used to be damp; I would put my jacket under my pillow.

Q. Are the papers read in the morning while you are eating breakfast? A. A little of the war news and the legislative news.

Q. At any of the hours of the day are there public readings where you have history and other things read to you? A. Sometimes they have stories read in the evening; we do not have

readings regularly; there is a reader comes twice or three times a week from outside; he reads a little to the boys in the chapel; we can go if we like; there is no regularity about the dormitories; I have found the sheets damp; and one night, after a long rain storm, I was going up to my dormitory, and when I took my coat off I found the sleeve wet; I thought then the wall might be damp and I went to look at the wall, and another boy who slept beside me says "hold on boys."

Q. Were the walls wet? A. Yes, sir; we brushed our hands against them, and we could hear the water trickling off on the floor.

Q. When were the walls last wet? A. They were not wet last night; I have not felt the wall within six weeks.

Q. Is there anything else you would like to complain about? A. About my clothes; these that I have on are my best clothes; the last fall was the time to get our clothes; we got measured, and it was a long time before all got them; I was measured for this suit, and it was not until December that we got suits; I had to wear linen clothes up to December; I went to see a doctor between 36th and 37th streets, and he gave me a poor account of my health; I gave up all hopes of living, so I came back; one of the boys lent me some clothes; he lent me a coat; I do not have but two shirts, except one flannel shirt, which was torn; I went to Mr. Wait and I told him of it, and he said he would see about it; I went to him again, and he told me to go to Mr. Ambler, and he told me to wait until the tailor came up, and I waited, and he told me that the suit would do me; I think I ought to have another suit of clothes; I have to work in these, and to wear them Sundays.

BARNARD GREINER, sworn:

I am 30 years old in tw o months from now; live in Buffalo, Erie county; I have been here six and a half years; am in the mattress trade; have been at it two years.

Q. [By Mr. Fields.] Have you received any money as your proportion of what you have earned? A. Yes, sir.

Q. How much? A. I don't know, I kept no account; in the broom shop I received \$1.92; in the mattress shop I received for occasional work.

Q. How much did you receive in the mattress shop? A. For about four months, \$9.59; I received \$5.52 for working in the broom shop from September to April, that was full pay.

Q. How has your food been? A. I don't think it is good; the meat was tainted when we complained first this winter.

Q. Is it now? A. I have not tasted the meat since to eat it; I generally eat bread and butter, and I drink tea and what they call coffee; it don't taste much like coffee; I think it is rye coffee.

Q. How is it with your sleeping apartments? A. In my dormitory it is pretty damp; I have got the care of the children in

their dormitories—the boys under 15; I have a bed to sleep in by myself; the beds are all extremely damp; I can see enough to get around; I cannot see perfectly.

Q. Can you see me now? A. I can see a man there.

Q. Have you ever known the pupils to be beaten or whipped?

A. I have not myself, but I have heard the pupils complain of it; there was Charles Lewis and Alfred Barnham.

Q. [By Mr. Strong.] What care do you have of the children?

A. I have to see that they go to bed and rise at the appointed time; I wake them up; I see that they go to bed and are covered up, and that they get up in the morning and dress, and as soon as they are dressed they go down and are put under the care of the nurse; the youngest is about 11 years; there are none under 11.

Q. Do you know Mr. Hoffman? A. Yes, sir, I have known him; he came here in 1860, four years ago last February.

Q. Where were you when you signed this paper? A. In his private room.

Q. Did you have anything to do with the getting up of the paper? A. No, sir, we all joined together.

Q. Did you subscribe anything for paying the lawyer? A. No, sir.

Q. Who did pay for him? A. I do not know.

JOHN J. WESTERVELT, *sworn*:

Q. [By Mr. Fields.] Tell us your age, residence, &c.? A. I am 19 years old; came from this city; reside at 87 8th avenue; am a member of the institution now.

Q. Have you been home? A. I have been home since last Thursday.

Q. How long have you been here? A. A little over 7 years.

Q. Have you been educated here? A. I have received some education here.

Q. What? A. I could not say what; but my education has been principally in the mat department.

Q. What advantages have you received in the way of schooling, I mean? A. I have not received the education which I think I ought to have received.

Q. How far advanced were you? A. I had gone through Greenleaf's National Arithmetic; I have studied grammar; I merely studied elementary principles.

Q. Are you still studying grammar? A. No, sir.

Q. Why do not you continue those studies? A. I cannot distribute the studies; I am put in a class and I have to study what is prescribed me.

Q. What studies are you pursuing now? A. At present, logic; geology, the first recitation in the morning; the second recitation, we have algebra; the third, we have philosophy or physics.

Q. You are in a superior class? A. Yes, sir.

Q. Is grammar taught in that class? A. No, sir.

Q. Then you want the committee to understand that your education in the superior class has been defective? A. It is; I have always understood that I occupied one of the first places in the class I have been in; was very seldom at the foot.

Q. Are you learning any trade? A. Not at present; I was in the mat trade; I have been in the broom and the mat trade, but in the mat trade I have not been able to learn anything—my health has not been very good.

Q. Did you learn anything in the broom shop? A. I have not been able to learn anything there, on account of the boss not being able to teach the trade, not understanding it himself; I have been in poor health the last term; I have had a heavy cold for a long time; I understood my doctor to say that I seemed to have a scrofulous disease, and he said, if I remained in this place, from the statements I had given him about the dampness, I would run into consumption soon, in the course of a year.

Q. Who was the doctor? A. Dr. Deey; he has been our family doctor for some years; my father and mother are living.

Q. Are you a State pupil? A. A State pupil, and have been for six years the last of this month.

Q. [By Mr. Strong.] Can you see at all? A. I can see the light; I was not born blind, my blindness was caused by accident; I fell out of a wagon, and the accident caused my sight to leave me; before that, I injured my left eye by the hook of a step ladder, and then afterwards I fell out of a wagon, mashing my forehead in.

Q. You receive aid from your parents? A. Yes, sir, my clothes are all I receive from my parents.

Q. Do you receive \$30 in clothing? A. No, sir, my father expressly mentioned that we did not want it; all I receive is tuition from the State; my father is a hatter, makes silk hats.

Q. Tell us have you any complaint to make about the food? A. It has been very bad.

Q. In what respect? A. The whole of it has been very bad; sometimes the meat has been tainted; very often I have had it that it was tainted, and at other times it was so tough that you could not get a knife into it; at other times there is no meat at all, and it would be all fat; on Wednesdays, when we are supposed to have corned beef, it would be all fat; I do not mind a little fat; still the meat is very bad and tainted; and in warm weather, the butter is bad, and it has been for sometime; the bread is the best article of food that we get; the coffee I like, that is better than the tea; but as far as that is concerned, I do not think it is good; there may be coffee in it; and as to the tea, I do not think there is much tea in it; it tastes as much like medicine as anything else.

Q. Will you taste of this, [handing witness some coffee, without any milk or sugar, that had been served for the lunch] and

say if it is the same coffee that the students get? A. I think it is stronger than that the students get; I do not think it is the same; I am not positive about it, because my taste is not good enough; but I think this is stronger.

Q. Is your dining room cleanly? A. It has been very uncleanly; we have had the tables covered with a kind of oil cloth, and we have it dabbled with molasses and grease and other things; it is very rarely cleaned; I always use my napkin to clean my seat off, when I sit down to the table; we have them once a week.

Q. How is it with your sleeping apartments? A. I sleep in the upper dormitory; it is still damp, caused by a leakage in the roof, or from the character of the building or the wall, which is a stone wall; there has been no fire during the winter; we have never had any in the dormitory since I have been in the institution; we have not had a leak in the roof as large this winter as the last winter.

Q. Is this statement in this paper true, that "the pupils are constantly ill-treated and beaten for the most trivial causes? A. I have had no particular cognisance of any such facts; I have always been treated well myself.

Q. Is that true or not? A. It is true of some persons that I have heard of; there was one case which I was informed of, that was the case of George Stewart Niven; he is not at present in the institution, he was retained in what is called the "dungeon" one night; of that I have only been informed.

Q. Have you heard of that treatment being extended to any other pupil than this one? A. Not that I recollect of.

Q. That is not the usual mode of punishment? A. It seems to be a very common mode—the putting them into this dungeon—a dark room on the lower floor; one of the boys remained all night there with nothing but a blanket; it was very cold.

Q. How long ago was that? A. It was about 2 or 3 years ago.

Q. Within the last year have you heard of any such treatment as that? A. No, sir.

Q. Has any one been put in there, to your knowledge, during the past year? A. There have been persons put in there during the last year—the last winter, but who they were I cannot tell.

Q. Do you think the teachers are competent? A. I do not think they are; they have not received instruction to make them competent to teach.

Q. Are they attentive to their classes? A. They are not so attentive as they should be; they are not so attentive, perhaps, as a great many teachers.

Q. Do they leave the recitation room in the hands of the pupils? A. I have been left myself there.

Q. For how long a time? A. During the whole of the recitation; often half an hour or 15 or 20 minutes.

Q. Where were the teachers then? A. I do not know.

Q. [By Mr. Fields.] From your knowledge of the institution have you any suggestions to make, whereby the treatment of the pupils would be benefited, and the course of education, both in trade and knowledge, be improved? A. I know nothing about the trades; whether there are trades that would be of more benefit than those we have I do not know myself; I have heard that the brush trade was a very good trade, but it is not taught there; the upholstery trade is a very good trade, but it is only taught in a degree; the mattress trade and the broom trade are good trades if they are properly taught; I do not think they are properly taught.

Q. In the school are your teachers competent or incompetent? A. I could not say that they are incompetent altogether; I think they are as attentive as a good many teachers; they are incompetent to hold their places.

Q. Have you made any complaint to the managers or the superintendent in regard to your treatment and your food? A. I have never made complaint myself, excepting it was in January I had a conversation with the superintendent in this room, where I stated about the food in particular, that was a theme which was called up by a little action in the dining room in the morning; I think I mentioned the other things.

Q. What did he say? A. He promised to do better, though he did not do anything for a week; a committee was appointed to apply to the managers, and they did so, and they had me before them, and they promised to do better; for two weeks there was not even the least change made; so we made up our minds that it was about time to take some other action, so we then applied to the Legislature.

Q. [By Mr. Strong.] Do you recollect the day the committee were here before? A. I was at home; I had got permission to stay at home that week on account of being sick.

Q. Do you live in the institution now? A. Yes, sir.

Q. How long a time are you entitled to stay here? A. Until the first of March next.

Q. Is there anything that you have not mentioned that you would like to state to the committee in regard to the management of the institution? A. There is one thing I would have mentioned before, in connection with the ill treatment of the pupils, and that is in the case of Charles Lewis: he mentioned to the superintendent that the meat was not fit to be eaten by a dog; he told me the story.

Q. Is it the impression upon your mind that he said he was struck in the face because he threw the cheese down the heater, or because he said the meat was bad? A. My impression is that he said he was struck in the face because he spoke in such a way in regard to the meat; it is his natural way of speaking; he is impatient and very earnest.

Q. [By Mr. Strong.] Do you know Mr. Hoffman? A. I do.

Q. You have been a good deal with him? A. Yes, sir.

Q. Did you assist him in getting up this petition to present to the Legislature? A. Yes, sir.

Q. Did you bear your share of the expense? A. Yes, sir.

Q. How much was your share towards paying your lawyer? A. I don't know how much he did receive; we paid him for taking the oaths and signing the names; but otherwise we have not gone to any particular expense.

Q. Who drew up this paper—the appeal to the public? A. That was drawn up, I believe, by Mr. Hoffman; I think he told me it was drawn up by him; I did not care about its going out to the public in this shape, in a circular form; I wanted it to go out in the newspapers.

Q. Is every fact stated in this bill true? A. Every fact speaking of the meat and pupils; I don't know any particular cases, except those I have mentioned; otherwise, every fact is true, and even that in a measure. I have always been well treated; I have been made a teacher, but I don't consider myself competent; I don't want to be; I have taught here some time; I had the place of Miss Murphy.

Q. Have you any musical capacity? A. No musical capacity; I have studied music, am at present studying it; the teachers of music are the best we have in the house; the musical department is better arranged now than it was heretofore.

Q. Has there been any improvement, up to the time of your petition to the Legislature, in the management of the institution, since Mr. Wait has been superintendent? A. No improvement, except in the classification of the classes; in going round from room to room and dividing them, so that they may be designated.

Q. Do you know of Alfred Barnham having been beaten by Mr. Babcock? A. I have heard of it; I think he was beaten several times, if I was not mistaken; he is in the institution now.

Q. How many waiters have they in the dining room to wait on the boys? A. They have one at each table; I don't know how many tables there are altogether; I suppose there are seven tables in the dining room for the pupils, exclusive of the teachers'.

Q. Are there any established rules in the building, that are read to you from week to week? A. There is a code of printed by-laws, which are to be read every month; we have not heard the whole of them but once; first we had them read in December; we have had them read, since, each month, at the first of the month; we have not had them read now since the latter part of February; we have papers read in the morning at breakfast.

Q. Do you have history read to you during the week? A. There are a few students who come from the Theological Seminary, who read to us about three nights in a week; sometimes they do not come at all; they read in the chapel; they read different things; they have read history—a part of Mobley's History of the Dutch Republic; they principally read books which

would be pleasing to the pupils; they have read the Life of Louis Napoleon, some of the Tales of the Alhambra, and, I believe, the Life of Washington.

Q. Are these readings advantageous to the pupils? A. I think they are for those who go.

Q. Would a regular system of reading of this character be advantageous to the pupils? A. I think it would.

Q. Do the pupils usually desire to attend? A. Not all of them; the majority of the pupils do not like to attend to history.

Q. Is there any compulsion used to oblige you to attend religious services? A. There is a rule that the pupils must attend in the afternoon, let their religion be what it may.

Q. Do clergymen of all denominations preach? A. Yes, sir; of the Protestant church.

JOHN HENRY STERLING, *sworn*:

I came here from Schodack, Ransselear county, in this State; am 20 years old next September, and have been in this institution four years and seven months.

Q. [By Mr. Strong.] Was you always blind? A. No, sir; I lost my sight about seven and a half years ago; it remains about the same as it was then.

Q. Have you any complaint to make about the management of the institution? A. I have complaints to make about the food and the dormitory; the dormitories are damp, and the beds are damp; my bed has been damp, and the roof has leaked; I have known the chambermaid, Ellen Paterson, carry up pails for the water.

Q. Has it been frequently damp? A. It has not been damp lately, much.

Q. How many times have you noticed it damp during the last year? A. I do not remember exactly; I have noticed it a good many times.

Q. A dozen times within the past year? A. I think I have.

Q. Is your food ever spoiled? A. We have had tainted meat; we had tainted pork on Thursday, the 28th January.

Q. How do you recollect that it was Thursday, the 28th January? A. Mr. Wait acknowledged that the pork was tainted, and not fit to eat.

Q. Did you put it down at the time? A. No, sir; I remember it in my head.

Q. Was there any particular circumstance that made you remember it in preference to remembering it any other day? A. Because he acknowledged it to us.

Q. How are the vegetables? A. They are very poor.

Q. What vegetables do you get? A. Potatoes; we have had turnips once in a while; cabbage, beans, rice very seldom; we had rice to-day at dinner time.

Q. Was it good? A. I could not say anything against the rice.

Q. Your tea and coffee, are they palatable? A. I do not know what to call them; we drink them because we have to drink either one or the other; I do not think the food is cooked properly; sometimes it is cooked too much, and sometimes too little; I do not think there is tea enough in the tea to make it taste like tea.

Q. Have you ever been struck, or had your ears pulled? A. I was struck about three years ago, but I was not struck within the past year.

Q. Have you had any cruel treatment, unkind words or harsh language used towards you? A. No, sir.

Q. What complaint have you to make about the institution that you have not already stated? A. About the school department.

Q. Who teaches you? A. I go to the shops all day; I left school about two years ago last fall.

Q. Are you allowed to leave school when you please? A. I left it when I wanted to work in the mat shop; I earn about 67 cents a day.

Q. And you get one-sixth of this? A. I get full pay for it because I am in my last year; and those that are not in the last year get one-sixth of what they earn; I do all kinds of work in the shop.

Q. Did you sign this paper (referring to petition of pupils)? A. Yes, sir.

Q. What was your object in signing it—to better your condition? A. Yes, sir, to better it if I could.

Q. [By Mr. Fields.] Are you one of the boys that Mr. Babcock took hold of by the shoulders and pushed on the floor? A. No, sir, for I would not let him do that.

CHARLES CASE, *sworn* :

I reside in Utica, Oneida county, and have been here about 5½ years.

Q. [By Mr. Fields.] Do you know where Dr. Edwards lives? A. No, sir.

Q. Has he ever attended upon you? A. No, sir.

Q. Have you ever been attended upon by physicians outside of the building? A. Yes, sir.

Q. By what doctor? A. Dr. McLean, in the N. W. dispensary, between 37th and 38th street, 8th avenue.

Q. Did the doctor ever come here to this building? A. I do not know whether he did or did not.

Q. Why did you consult him? A. I consulted him because I considered the attending physician in the house not competent.

Q. Were you sick at the time? A. Yes, sir; I had a severe cold that is not gone entirely away yet.

Q. How did you get it? A. The way the cold first came was by the fault of the house, by the dampness of the dormitory, and by not having covers enough, as it was late in the fall, and they did not put on the covers which they generally do for the winter.

Q. Have you had a cold ever since? A. Ever since the 15th of October.

Q. Have you complained to the superintendent that you were suffering from the cold? A. Yes, sir.

Q. And were you treated by Dr. Clements? A. I went over there and he told me that I was not sick; I have not been confined to my bed from the cold; I had an operation performed on my eyes by Dr. Hinton.

Q. Are you learning any trade? A. Yes, sir, I follow the broom trade; I am in the broom trade now; have been working in the shop about two years; I have not attended to it steadily on account of my health; I receive one-sixth of what I earn.

Q. What amount did you receive last year? A. I do not know; I have not received it; we receive it at the end of the term.

Q. What complaint have you to make in regard to the food? A. My complaint of the food is that it is bad, improperly cooked, and a great many times we cannot eat it; I myself, cannot, and others are the same; I cannot eat the meat it is so tough, and a great many times it is tainted; the potatoes have been placed before me with black spots in them; the vegetables are not cooked properly more than half the time; they are not cooked as they ought to be; the cabbage has been placed before the pupils when it has not been in the water more than an hour; the butter is generally strong and bad.

Q. Are the dormitories bad and wet? A. I have seen pails stand there filled with water.

Q. How long ago was that? A. That was the last year; I have seen pails standing in the dormitories this year to catch the water; my bed has been wet by the leakage of the roof or the window being open, by which the rain could get in.

Q. Whose fault was it that the window was open? A. I do not know exactly; the chambermaid has something to do with the dormitories; I complained to Mr. Rankin about it, but it was not attended to.

Q. Have you received all the wages you made in the shop? A. As to the shop I do not like to say much about that, for I have not made any improvement; it is partly my own fault; the trades are not properly taught.

Q. In what respect are they not properly taught? A. We have a boss of the shop who does not know any more about the trade than I do; he is in the broom shop; his name is Derny.

Q. Is he a good mat maker? A. The fact is I do not know anything about that.

Q. Are you attending now to any class? A. Yes, sir.

Q. What have you to say about your teachers? A. I think my teachers are not competent; there are questions that I asked them that I could not get any answers to.

Q. Give us a single instance where you have asked them questions that you were not able to get an answer to? A. Not in this year.

Q. In the last? A. I do not think of any now, in particular; it was in chemistry.

Q. Did that question arise from your studies properly, or was it some question you put outside of your studies? A. It was a question in my studies; it was something the teacher stated which I did not understand, and I asked him to explain it, and he said when I got older I would know.

Q. Who was that teacher? A. Mr. Fraser.

Q. Mr. Boardman, does he seem to be competent? A. As far as my studies go.

Q. What do you study now? A. My first recitation is grammar, my second is spelling and analysis, third, arithmetic, (we have six recitations a day,) the fourth is geography and maps, fifth, writing, and the sixth I have practice on the organ.

Q. Can you write at all? A. Yes, sir, I can.

Q. Have you been beaten at all within the last two years in the institution? A. No, sir, not in the last two years, before that I was; I do not think it was just either.

Q. Who ill-treated you? A. Mr. Cooper.

Q. Did you complain to the managers about it? A. No, sir, I did not, because there were complaints entered to the managers, and they did not take notice of them; so I thought it would be the same with me.

Q. [By Mr. Strong.] Do you recollect when this committee were here before? A. I do not recollect the day, I recollect their being here.

Q. Were you locked up in the dining room on that day? A. Yes, sir.

Q. How long? A. About 15 minutes.

Q. For what? A. I do not know; the question was asked by some of the pupils, and they were told it was none of their business; I heard the matron say that it was none of our business; I do not know what we were locked up for.

Q. You don't know whether it was accidental or intentional? A. I have my opinion of what it was.

Q. What is your opinion? A. I thought it was this, that as quick as the committee came here it was to hide us from the committee, so that we would not know they were here; I do not know any other reason for it.

Q. What time of the day was it you were locked up? A. At dinner time.

Q. Did you know, at the time you were locked up, that the

committee were here? A. I knew, before I went in to dinner, that the committee were here.

Q. Who locked the door? A. I suppose the matron, as usual, has charge of the dining room; I do not know.

Q. How came you to be in the dining room? A. We were there at dinner.

Q. Were you kept in the dining room fifteen minutes after you got through your dinner? A. I was.

Q. After you had finished eating? A. I was in the dining room more than that; After the blessing bell rings, then we stay in about twenty minutes, and then what we call the dismissal bell is rung; it was fifteen minutes after that.

Q. Did you have a chaplain at the institution? A. Not particularly.

Q. Who says grace at dinner? A. Sometimes Mr. Babcock, sometimes Mr. Canfield; Mr. Collins, one of the pupils, has asked a blessing.

Q. Is he a member of the church? A. I do not know; I think he was.

Q. Do you know anything of the absence of the teachers from their classes? A. I have been left with the class myself for whole hours—with the class in my charge.

Q. Where were the teachers at this time? A. That I could not say.

Q. Did the teacher come into the room, give the class into your charge, and then leave? A. Yes, sir.

Q. Did he not make any excuse, and say I want to do this, and attend to some other class? A. He merely mentioned my name, and if I would give the questions.

Q. Does this often happen? A. Yes, sir.

Q. Have you ever been threatened with expulsion from the institution? A. I was, at the time I refused to be doctored by the attending physician of the house; that was in November.

Q. Have you ever been threatened since? A. No, sir; a great many times I have appealed to the superintendent for musical advancement; I have been wanting to be a teacher; I have had the promise made to me, but have never had any advantage in that way. I play on the organ, and some on the piano; I do not think I have had the advantages in music that I ought to have had.

Q. Did you hear what Westervelt said in regard to the musical part of the education here, that it was the most thorough of any department? A. Yes, sir; he has better advantages than I have; I do not agree with him in that statement; I think it is defective, within the last year especially.

Q. Defective from the want of knowledge, or the capacity of the teachers, or from the management of the classes in music? A. I think mostly from the management of the classes; not all

the teachers are competent; I think Mr. Hogan is not competent; he generally teaches the piano.

Q. [By Mr. Fields.] How many hours a day do you have for the piano? A. I have only one full hour a day; that is in the evening, between 7½ and 8½ in the evening.

Q. You think the piano teacher is deficient? A. I think so from the experience I have had.

Q. Deficient in knowledge, or attention? A. Both; he has not the capacity; I have got it from experience; I had a teacher in the house, and I learned a great many pieces from him that he knew, and when I was given to Mr. Hogan he could not teach me anything at all new; Mr. Hogan is a blind man; he can see some. I heard that Collins testified that the food was as good as he got at home; if he testified that, he must have had very bad victuals at home; he has told me that when he came before the investigating committee he would testify against the pupils.

Q. Were you asking him about it? A. No, sir, he told me; I have often talked with him and he always sided with the officers; he seemed to be a great favorite with them; and he is allowed privileges which no other pupil has; he is allowed to go on the girls' side, and that is strictly prohibited.

THOMAS BUSKIN sworn.

I am 24 years old; came from Rochester, Monroe county, and have been here 4 years and 7 months.

Q. [By Mr. Fields.] What complaint have you to make with regard to the management of the institution; go on and state them if you have any? A. I think the pupils have been ill-treated so far as I know; the food has been very bad; it has been improperly cooked; I never ate such potatoes before in my life; there has been some little improvement since we sent up this first petition to the Legislature—a little more in regard to cooking the food and preparing it.

Q. How in regard to the dormitories? A. I have heard water drop down into the pails which they set there for the purpose of catching it in the night-time.

Q. In regard to your treatment, have you been beaten? A. I have heard pupils say that they have been beaten; I was never beaten myself; I was never reprimanded for anything I have done; I work in the mat shop at present; I went there a year ago last November.

Q. Do you receive any benefit from your work now? A. According to the rules of the institution I get, I suppose, what I can earn in the shop, it being my last year.

Q. How about the mat shop, is that properly organized? A. I think the mat shop is pretty well conducted at present; Mr. Derry, I think, understands the mat trade, but I have not worked in the broom shop since this new arrangement; when I worked there I worked under Mr. Williams and he was a good broom maker, but he was a disagreeable man.

Q. Do you receive any compensation for your work? A. One-sixth.

Q. How much did that amount to in any one year? A. That I cannot tell you; when the pupils are learning a trade they cannot earn much; they are expected to earn much more in the last year than during any other year.

Q. How many pupils are there in the mat shop? A. I cannot tell you; quite a number—whether a dozen or more.

Q. From your knowledge of Mr. Derry does he as pay much attention to the pupils in learning them, as he ought to, or as he can? A. Most of the pupils that are in the mat shop studied the trade before he came.

Q. Do you receive all the facilities or aid that you think you ought to receive in the shop? A. I do at present.

Q. Have you anything to complain of in regard to the mat shop? A. No, sir, nothing, except we have not got material enough, we cannot get the kind of material we want; the foreman of the shop says he cannot help it, because the managers or somebody else will not furnish the right kind of material; it is impossible to tell what it is that we have that is called tea and coffee; I used to go to school the fore part of this term; I do not think the teachers are competent for teaching, and I think they might be better? I do not think they are educated enough to fill the positions they hold.

Q. [By Mr. Strong.] Have you ever been threatened with expulsion? A. No, sir.

Q. Or even locked up in the dining room the day the committee were here before? A. We were, about 15 or 20 minutes longer than the usual time.

Q. Do you know anything about the dungeon, down stairs? A. I have heard of it; I have never been in it; I asked the matron when she locked us up in the dining room what the reason was, and she told me it was none of my business.

ROSEVELT MORRIS sworn:

I am 18 years old, New Year's; reside in Williamsburgh, 16th near north second; lived there 6 or 7 years; my stepfather lives there; have been here 6 years the first of next September; I am learning the broom trade, and have been for 2½ years; have learned my trade so as to make a broom.

Q. [By Mr. Fields.] Has the instruction that you have received been proper, and have you received all the assistance that you desired? A. Yes, sir.

Q. Have you been to work in any other shop? A. I have never been in any other shop; I am not attending school now; it is about a year since I have been attending school; I was in the 5th class when I left; it is the intermediate class; I studied geography, grammar and cyphering; I cannot write; I was put out of the school because I could not learn fast enough.

Q. You were not attending to some of the studies? A. Some-

times I was ; I was put out of the school two or three times by Mr. Rankin ; I have never been under Mr. Babcock's care.

Q. Under whose care have you been who is now a teacher ?
A. Miss Moore.

Q. Have you anything to say about the food ? A. It is not very good ; the meat is tainted and sometimes it is tough ; the bread is very good ; there was once a time when that was sour ; the butter is not very good ; the tea and coffee are not very good.

Q. Were you ever beaten in the house ? A. Yes, sir, about three years ago, very severely, by Mr. Babcock.

Q. Have you been beaten since ? A. No, sir.

Q. Did you make any complaint of your treatment at the time ?
A. No, sir ; I told my mother about it, and she came and saw Mr. Cooper about it.

Q. Are you one of the boys that Mr. Babcock took by the shoulders and threw them down in the room ? A. No, sir, he took my pants down.

Q. Did he strike you on the bare flesh ? A. Yes, sir, with his hand I think ; he unbuttoned my pantaloons and took me across his knee and spanked me.

Q. This is three years ago you say ? A. Yes, sir.

Q. Is Mr. Babcock still in the institution ? A. Yes, sir ; Mr. Wait came in the room at the time, and locked the door.

Q. Did he say anything to Mr. Babcock ? A. No, sir ; Mr. Wait was then a teacher.

Q. What had you been doing ? A. It was in Mary Moore's class, the spelling class ; she gave me a word to spell and I could not spell it, she gave it to the next boy and he spelled it right, and I laughed at him, and she turned round and boxed my ears for it, and told me not to do it again, and she went and got Mr. Babcock, and asked me to stand there until he came back ; then he took me up into his room, took my pantaloons down, took me across his knee, and began to lick me with his hand ; Mr. Wait came in and locked the door, and he stood there until Mr. Babcock got through whipping me and did not say anything.

Q. How did you know it was Mr. Wait ? A. I saw him ; I can see a little ; that was about 3 years ago this winter ; I was then about 14 years old.

Q. Did you cry ? A. Yes, sir, he left green marks upon me ; that is the only time I have been beaten.

Q. How do you know he left green marks upon you ? A. My mother said so.

Q. Have you anything to say in regard to the dormitory ? A. I found pails there to catch the water.

Q. Is it damp now ? A. I do not know that it is now ; it was not long ago.

Q. [By Mr. Strong.] The day you were locked up in the dining room, when we were here before, how many boys were there ?
A. I do not know.

Q. How many should you think—were there 26? A. I do not know.

Q. Were half the boys in the dining room? A. They were all locked up there for about 15 minutes; the matron locked the door and took the key and put it in her pocket; I went to the door and found it locked; the key was not in the door; I could not go outside of the door; both doors were locked.

Q. Have you ever been threatened to be expelled? A. No, sir.

Q. [By Mr. Fields.] Do you know anything of the dungeon? A. Yes, sir, I have been put in it.

Q. When? A. I do not know how long ago it was.

Q. Within a year or two? A. Yes, sir.

Q. Who put you in? A. I do not remember who put me in; I know I have been in there within two years; whether it was Mr. Wait or Mr. Babcock I do not remember; I do not remember what it was for; I did not remain in over night.

Q. How many times have you been put in there? A. Four or five times.

Q. Can you remember of anybody putting you in there? A. Mr. Rankin.

Q. You cannot remember who put you in there the last year? A. I think I have been put in the last year; I have within the last two years.

Q. Do you know whether you have been put in since Mr. Wait was superintendent? A. I do not know whether he was superintendent.

Q. Do you know when he became superintendent of the institution? A. It was last year.

Q. What month? A. I do not know what month it was.

Q. [By Mr. Strong.] Do you know what month it is now? A. It is the 1st of April.

Q. What day of the month? A. It is the first.

Q. Do you usually have a good memory? A. I cannot remember very well.

Q. Are you sure that you have remembered correctly in regard to Mr. Babcock whipping you? A. I can remember a hard thing like that.

JAMES MCGREEVY *sworn*.

I have been here four years the 18th of next September—came from Randall's Island; I have not signed any paper; I have not got any parents; have no relatives.

Q. [By Mr. Fields.] What have you got to say in regard to the management of the institution? A. In regard to the schools I would say that I do not think Mr. Canfield is competent; I asked him how many counties there were in the State and he could not tell me; he first told me there were 56 and then 58; but there are 62; he is a blind man.

Q. What have you to say in respect to your food? A. As to

the food I can say but little, for I have been sick; I have been in the sick room for the last seven weeks; I have had the rheumatism; before I was sick the food was very bad.

Q. Was the meat tainted? A. I hardly ate anything but dry bread and water; everything else was bad.

Q. Did you dine in the dining-room to-day? A. Yes, sir.

Q. How was your dinner to-day? A. I could not appreciate it very well, because I only came out of the sick room last Friday; there was rice on the table; I do not eat anything but bread and tea; the tea is almost as bad as hot water.

Q. What is the flavor of it; has it a good flavor or has it a bad flavor, and is it weak? A. It has a bad flavor and it is weak.

Q. Before you were sick were you learning any trade? A. Yes, sir, I was, half the day; I was learning the mat trade.

Q. How long had you been to work at it? A. All this term, so far, until my sickness.

Q. Have you got anything to complain of in regard to your instructions in the mat trade-so far as you have gone? A. I have, against our boss, Mr. Derry; I don't think he is competent to teach, because he simply combs the mat; he cannot put on the chain properly.

Q. How do you know he cannot put the chain on right? A. I have heard the boys say that we knew more about it than he did; I have heard Joseph Saunders say so.

Q. What have you to say about the dormitory? A. It was so wet that you could sweep the water right off the wall; it was the present mat shop that helped to give me the rheumatism; it is very damp; it is right down here in the yard; I think I contracted the rheumatism, some of it, there; I got my feet wet, and I did not have any dry stockings to put on.

Q. How came you to get your feet wet? A. I was out walking.

Q. Is that suit of clothes the only suit you have? Yes, sir, this is my Sunday suit; one of the boys lent me this coat; I wear jackets, generally.

Q. Have you any complaint to make about anything else? A. I asked Mr. Babcock before I got very sick, will you excuse me from the shop so as I could go to the sick room, and he says no.

Q. Did you tell him you were sick? A. Yes, sir.

Q. Did Mr. Babcock have anything to do with the shop? A. he can excuse a pupil; he is assistant superintendent.

JAMES ANDERSON sworn :

I came here from Rochester, Monroe county; am 12 years old; have been here a year and five months; I go to school in the intermediate class; I have been in the primary department; I studied in the primary department maps, reading, spelling, history, geography, tables; the first hour I studied history, the second hour, geography; the third hour, arithmetic; the fourth hour, spelling; the fifth, object lessons; the sixth, I had reading.

Q. Who is your teacher now? A. The first hour, Miss Cox; the second and the third hour, Miss Moore; the fourth and fifth hours, Miss Murphy; the sixth, Miss Hutchins.

Q. Are the teachers attentive? A. There is one who is not attentive—Miss Moore—she left the class in Dr. Ward's hands; she stayed away within ten minutes of the expiration of the recitation.

Q. Have you any complaint to make in regard to the food? A. The food is very bad; the meat is tainted; on Tuesdays and Thursdays, which are the meat days, I have eaten nothing but bread and water; on Fridays the fish is sometimes bad; the butter is good enough to my taste, to others it is not; the bread is pretty good; that is the best article of food we have; the beans are not cooked very well, not enough; sometimes they make me sick; and the pork is not properly cooked.

Q. Have you been beaten in the institution? A. I have by Mr. Babcock.

Q. How long ago? A. In December, 1863, before Christmas.

Q. What did he do? A. One time Mr. Canfield wanted all the boys in the intermediate class to stand up, the first hour the bell was rung; the hour was just out, and I did not think it was right, so I did not stand up; and he asked me in the second and third hours why I did not; and so it happened I went to the office of Mr. Babcock and he took me into the dungeon, and he said: "I am going to keep you there a month," and he kept me there four days, during which time I cracked a panel in the door, and he wanted me to pay a dollar and a half for it; I kicked it with my foot.

Q. What did you have to eat? A. Dry bread and water, and nothing else; the first night I was in there, Mr. Babcock came and asked me if I calculated to mind; I would not answer, and he took me by the collar and commenced choking me, and asked me: "Are you going to mind?" and I said yes, I calculated to mind; he kicked me, but it was not hard.

Q. Did he choke you enough to hurt you? A. He choked me a little.

Q. In regard to your standing up, had you violated any rule? A. No, sir, I did not violate any rule; I whistled in the third hour; just before, Mr. Canfield dared me to whistle again; he said, "my advice to you is not to try;" I whistled again; he did not say anything, but reported it to Mr. Babcock, and that was why I was punished.

Q. Is that the only time you have been punished? A. I was put in the dungeon once before; I asked Mr. Canfield to excuse me once, and he said he would the next time, and the next time he did not excuse me; I asked him to excuse me, and he told me I should be the first one that was not excused; he did not excuse me that time; says I, "Mr. Canfield, that is unfair," and he called me up, and he says, "What is that you said?" I said I would not

tell him, because he had heard it once; then he let me alone for two days; Mr. Rankin asked me why I did not reply to Mr. Canfield; I told him I would not reply to him because he had heard it once, and I thought that was enough; Mr. Babcock put me there.

Q. Was it at Mr. Rankin's request? A. I do not think it was; I have my idea of it that Mr. Babcock got Mr. Rankin to have me put there.

Q. How long were you kept in? A. From four o'clock until half-past seven.

Q. Are there any windows in the dungeon? A. No, sir.

Q. Bare walls? A. Yes, sir.

Q. Any seats in there? A. There used to be one stool; now we have to sit on the trunks.

Q. Is it a kind of storage room? A. No, sir.

Q. When you went in there the last time, what did you sit on? A. On a trunk; the room is entirely dark.

Q. It would not make much difference to you whether it was dark or light, so far as company was concerned? A. I can only see the light; I can tell daylight from night.

Q. Were you born blind? A. No, sir; when I was two years old I got blind from weakness in the nerve of the eye; I learned to write before I came here, by blocks; I got one of the raised letter books; I can read from the raised letter book; I cannot read as well as some boys can; I can spell words of two or three syllables; I have studied arithmetic; I am in multiplication and cyphering in the third degree; I work at picking hair in the shops.

Q. How long since you commenced? A. Just the last week.

DAVID H. WINTRESS, *sworn*:

I am 20 years old the 10th of this month; I reside at 225 Pacific street, Brooklyn; came to this institution the first week of November last; was never here before.

Q. [By Mr. Strong.] How did you lose your sight? A. On picket duty in Virginia, by accident, from a shot that passed through my cheek and cut out my right eye and destroyed both; the gun was fired by a private in the same company with myself, company C, of the 139th volunteers, Colonel Roberts.

Q. What have you to say in regard to your treatment since you have been here, as to food, dormitory, and teachers? A. As for as the officers are concerned, they have treated me very well; I cannot say anything against them; but the dormitory has been wet and damp, and it has leaked; it is repaired now, I believe; the food has been bad; the meats have been tainted; I do not know whether they have been lately, as I do not use any now.

Q. [By Mr. Fields.] Why not? A. On account of my teeth, which hurt me in eating; they are decayed, and I cannot eat meat; I only hear that it is tainted.

Q. Do the pupils complain every day, or occasionally? A. Occasionally.

Q. How is it with the tea and the coffee—are they palatable? A. If they were a little stronger they would be better.

Q. How is it with the bread and butter? A. The bread and butter are not good.

Q. How is it with the sleeping arrangements—are the dormitories damp? A. Yes, sir, a little; they are not now.

Q. Do you attend school? A. Yes, sir.

Q. Do you receive any instruction there? A. I do; I receive instruction in spelling, arithmetic, maps, reading and history.

Q. You were educated, of course, before you went to the war? A. Yes, sir.

Q. And you are now receiving the instruction given to the blind? A. Yes, sir.

Q. You say that the personal treatment on the part of the teachers has been very kind to you? A. Yes, sir.

Q. Can you give us any other information how this complaint was gotten up, who the lawyer was and how much he was paid?

A. I cannot; I think the lawyer's name was Tillou.

Q. Did you contribute anything towards it yourself? A. No, sir.

Q. Do you understand who the principal party was in getting it up? A. I do not.

Q. Do you know Mr. Hoffman? A. Yes, sir.

Q. Did he talk with you much? A. No, sir.

Q. Before you signed this paper, was it read over to you, "We are constantly ill-used and beaten for the most trivial causes."?

A. I did not notice that when I signed it.

Q. Is that true or not? A. I have never been beaten or struck.

Q. Have you seen or heard of any one being beaten in the way you here say? A. I have heard of only one, and that was Chas. Lewis.

ALFRED BURNHAM, sworn:

I am 15 years old the 9th of September, live at 78 Canal street, was born in London, and came to this country when I was two years old, and came to this institution when I was 5 years old; have been blind about nine years.

Q. How do they treat you here? A. The coffee is good, the meat is tainted; I have had potatoes not half cooked.

Q. Have you been beaten or whipped in the institution? A. Mr. Babcock bid me take down my pantaloons; I do not remember exactly what it was for; that was about two years ago.

Q. Is that the last time he whipped you? A. Yes, sir; Mr. Wait was present in the room.

Q. Were you whipped at the same time with the other boy? A. No, sir; he wanted me to take down my pantaloons, and he unbuttoned them after a while, and he pushed me down and put

his right knee over my legs, and put his arm over the back of my neck, and he spanked me with his bare hand; he asked Mr. Wait to lock both doors, and he spanked me with a kid glove; first with his bare hand, and afterwards with a kid glove; I showed the marks, the same night, to Barney Grier, in the dormitory; I used to be in the lower dormitory; I am in the upper dormitory now; I have swept the water off the walls of the dormitory not more than six months ago.

Q. Has the place been better managed since Mr. Wait came?

A. I think the rooms have been fixed up a little better. ♦

Q. Have you ever been in the dungeon? A. Four or five times I was in there; there are no windows there; I have been in there when the gas was turned on; I was in the dungeon when Mr. Babcock was a teacher; our teachers stay a good deal out of the recitation rooms; Miss Moore is never in before I am; the whole class is almost always in before she comes in; I remember that she has gone and left the class six or seven times.

Q. Are you in the mat factory? A. I pick hair and am in the mattress trade.

Q. Have you ever been sick here? A. No. sir.

WILLIAM GARDNER, *sworn*:

I am 15 years old the last of October; reside in Forsyth street; I do not know whether my father is living; my mother is; I have been here four years the 8th of September.

Q. [By Mr. Fields.] What instruction do you receive here?

A. Writing, spelling, reading and arithmetic.

Q. How long have you been attending school here? A. Ever since I have been here.

Q. Have you any fault to find with the teachers? A. Yes, sir, as to the maps, I do not believe my teacher knows them.

Q. Who is your teacher? A. Mr. Canfield, he is a blind man.

Q. Have you ever been ill-treated? A. Yes, sir, about three years ago, by Mr. Babcock; it was for spelling; he took my pantaloons down, locked the door and whipped me; Mr. Wait was in there.

Q. Was it at the same time that these two other boys were punished? A. No, sir, he put my pantaloons down and spanked me; I could not say whether he spanked me with his bare hand or not; he left marks upon me; I could feel them afterwards.

Q. It was because you would not spell? A. I did not know how to spell, and he said I did know how; I did not know how.

Q. Is that the only time he ever punished you? A. That is all.

Q. Have you ever been beaten by anybody else? A. By the superintendent, Mr. Rankin; I have been put in the dungeon.

Q. When? A. It was last year sometime; I was kept in from the first hour in the morning until 4 o'clock in the afternoon.

Q. Did you have any dinner? A. No, sir.

Q. Any dinner after you came out? A. No, sir, I had my supper; I was put there for not spelling.

Q. Because you did not know how to spell or because you were stubborn? A. I knew how to spell them.

Q. Do you use tobacco? A. No, sir.

Q. How is it about your food here? A. That is bad; I do not eat the meat because it is tainted.

Q. How long is it since you have tasted it? A. I do not know when I have tasted meat.

Q. How long since you tasted it? A. About a month ago.

Q. What was it you eat then, was it corned beef or roast beef? A. It was roast beef.

Q. Was it tainted? A. Yes, sir, I tasted the beef.

Q. Since then you have not eaten any meat? A. No, sir.

Q. Have you eaten any fish since then? A. No, sir, I have not eaten fish since vacation.

Q. When was that? A. The vacation is from the 1st of July until the 3d of September.

Q. What do you call vacation, when you are allowed to go home? A. Yes, sir.

Q. What have you to say about your dormitory? A. They are very damp; I am in the upper.

Q. Do your teachers treat you kindly, or speak harshly to you, or cross? A. Some of them speak cross.

Q. How is it with Mr. Canfield? A. He is one and Miss Murphy is another who is cross.

Q. Do they stamp their feet at you? A. Sometimes.

Q. What does Mr. Canfield say, is he harsh, give us one expression? A. I could not tell the language now.

Q. You are in the mat factory? A. No, sir, in the broom shop; I have been since the vacation.

Q. Have you any fault to find with your boss? A. I think he does not know his trade.

Q. Does he say that? A. Yes, sir.

JOHN FLANDREAU sworn:

I was sixteen the 28th of last month; I have been here three years and two months; I am from New Rochelle, Westchester county; I attend school; Mr. Canfield is my teacher two hours.

Q. [By Mr. Fields.] Have you any fault to find with your teacher, of the manner in which you are taught? A. I do not think Mr. Canfield is capable of teaching a school.

Q. How old is he? A. I should judge between 21 and 22.

Q. You do not think he is competent? A. No, sir; in geography—in arithmetic also; he knows more of arithmetic than he does about geography; in the geography class, he has a book there; a teacher ought to keep in memory the states and countries; he does not teach as he ought to; he teaches the girls at the expense of the boys' hour.

Q. Are the classes together? A. Yes, sir.

Q. And he devotes most of the time to the girls? A. Yes, sir.

Q. Have you complained to him of that? A. I have told him that he showed partiality between them.

Q. What did he say? A. He has not answered it; he told me not to say that again; I will tell you about one case: he asked me a question, I did not know the answer of it; I believe it was about a city in England, or something, and he told me I did know the answer, and he told me to stand up; I told him I would not, because I did not have anything to stand up for; and he said, "stand up, John;" but I thought it was better to stand up, and I obeyed him; then he got another pupil to answer the question, and he asked me, "do you see that you are wrong?" and I said, "I did not answer, because I did not know;" he told me to take my seat; I sat down; I have asked him to change my map; I have asked as much as a dozen times to change me from that map and give me another, and he has not done it.

Q. Did anybody ever strike you? A. Mr. Rankin, the superintendent, has struck me; in June last he slapped my face.

Q. For what? A. The teacher, Miss More, asked me to shut the door; she requested me to do it as I was going out; there were some girls there, holding the door open for spite; but Miss More told me two or three times to shut it, and I gave the door a little shove, more, perhaps, than I should have done, and it went in Mr. Rankin's face; and he says, "take that," and he hit me; I told him not to do it again.

Q. What have you to say about your food? A. The meat is tainted, the vegetables are not fit to eat; the bread is usually fit to eat; the butter is stale, and a great many times it is often strong; our coffee was taken away from us between two and three years ago, and we have it now once or twice a week; it is not good when we have it; the tea is weak, with a bad flavor; the dormitories are damp.

Q. How lately have you noticed them to be damp? A. I have seen them damp about six weeks ago.

Q. Have you any other complaints to make? Are the teachers pleasant to you, or are they vulgar, overbearing and tyrannical? are they all blind teachers? which are the best, the blind ones, or those who can see? A. Mr. Babcock is blind; I do not think we ought to have blind teachers here at all, because I do not think they are fit to teach; we want seeing teachers; I think they are more competent to teach, for they understand the blind, and if they get used to the blind I think they can explain things better than the blind teachers can.

Q. Do you know of any difference between the blind teachers and those who can see in relation to their kindness or unkindness to the pupils? A. I do not; I am in the meat shop; I am braiding at present.

Q. Do you think you have all the advantages that you ought to have there? A. No, sir.

Q. Have you complained to any one that you had not? A. I have not complained to any one; I was taken out of the mattress shop just as I was learning my trade.

Q. Do you want to go back to the mattress shop? A. No, sir, I do not want to go back there, because it is too late now.

Q. Have you any complaint to make in regard to your shop, is it damp? A. It is damp.

Q. Is it so damp as to injure your health? A. I think it gave James Grier the rheumatism.

Q. Is it usually damp? A. No, sir.

Q. Does the overseer of the shop try to teach you? A. All he knows; he does not know his business; I never saw him do anything except comb mats; I had a strain some time ago—a broken ankle I think it was; I could not walk on it for more than four weeks; I went there on Friday two weeks ago, and the doctor said it was only a strain, and he ordered Mrs. Quail to put cold water on it.

Q. How is your foot now? A. It is well now; I can walk on it.

Q. Do you have any ill effects from the strain? A. I do not know; two weeks ago last Friday, I turned in the street and injured my right thigh; and I went up to the sick room and she gave me a dose of salts.

Q. [By Mr. Strong.] Do you recollect whether there was a committee sent here one Saturday to make an examination—did you know why they were here? A. I knew they were here in the building.

WM. GILLEN, *sworn*:

I am 17 years old the 10th of next March; I have been in this institution 3 years and 7 months; reside at 517 Columbia street, Brooklyn.

Q. What complaint have you to make in regard to your treatment? A. As a general thing the food is bad and the dormitory is damp.

Q. How are the teachers? A. I have naught to say against them—they are very often absent from the classes; I belong to the sub-senior class.

Q. Have you any complaint to make in regard to your food? A. No, sir.

Q. Have you ever been beaten? A. No, sir.

Q. Or put into the dungeon? A. I was sent to it one time, for carrying on in the class.

Q. You violated some rule? A. Yes, sir.

Q. Have you any complaint to make that the other boys have not gone over in your presence? A. No, sir, except that the broom shop is not properly conducted, I think; I do not think

that Mr. Derry knows how to conduct matters; I do not think he is competent in the broom shop; I have been at work in the broom trade for about two years.

Q. Have you received any benefit in money? A. About 40 or 50 cents.

Q. For how long? A. A year—that is one-sixth.

JOHN FREEDMAN *sworn*.

I will be 18 next September; I will be here four years next September; I live in Hamburg, Erie county.

Q. [By Mr. Fields.] What complaint have you to make in regard to the institution? A. The food is bad and the dormitories damp; I have heard water drop into the pail.

Q. Has your bed been damp sometimes when you went to it? A. My bed is not damp; I have known when I could get the water off the walls; the superintendent has not treated me badly; I have done nothing for him to treat me badly; I am in the third junior class; Mr. Babcock teaches me and Miss Hutchins.

Q. Have you any fault to find with the manner in which they teach you? A. I have not, only once in a while Mr. Babcock goes out and leaves some of the boys in charge; I like Mr. Babcock well enough when he is there.

Q. How does Mr. Wait treat you? A. He has treated me well enough; I have never been in the dungeon; the second year I was here I was learning exercises on the piano and the teacher was not capable of teaching me; he used to keep talking to me, and I told him to go on teaching me; he is not here now.

Q. Do you take music lessons now? A. No, sir, Wm. Hoffman put me off the piano; he was the one teaching me.

Q. Was he competent to teach you? A. I did not like to take his exercises.

Q. Why? A. I do not think he was capable of teaching me; he was a pupil; he did not want to teach in the first place, and Mr. Rankin wanted him to teach, and he had to do it.

Q. Why do not you take lessons in music now? A. He put me off the piano, and I have not had it since.

Q. Do you want to learn music now? A. Yes, sir; I have a musical turn; I like music; I have a middling ear for it.

Q. [By Mr. Strong.] Did you know that the committee were here the other Saturday? A. Yes, sir; I knew at the time when I came out to dinner; I was locked up at dinner time—all of us—about 12 or 15 minutes.

Q. Do you know how long the committee sat here after dinner the other day? A. Until 2 or 3 o'clock, I am not certain.

ALFRED COLLINS *recalled*.

Q. [By Mr. Fields.] Are you a member of the church? A. I am a member of the catholic church.

Q. Do you sometimes say grace at the table? A. Yes, sir.

Q. Is it at the request of the superintendent? A. I have not

had any direct request from him; I have done it at the request of the matron; when there is none else to do it then I said the ordinary grace, when there was probably no other teacher in the dining-room.

Q. [By Mr. Strong.] Are you compelled to attend service in the chapel against your will? A. It is a rule in the institution that all pupils shall attend service in the afternoon; they can go where they wish in the morning; and I should be breaking a rule of the institution if I did not attend the chapel in the afternoon.

Q. You have no conscientious objections to attending there? A. No, sir, I never said anything against it.

Q. Have you ever talked with Mary Donnelly? A. I have spoken to her.

Q. Is it not a rule that you must not speak with the females? A. It is; it was a violation of the rules; I was not reprimanded for it.

Q. Do you talk with her frequently? A. No, sir; I remember the case very well.

Q. How often have you broken the rules in conversing with the female pupils? A. With reference to the conversations with them, and breaking the rules, I might say that I had broken the rules in this way: There are circumstances which change cases; in this case the girls had been very much in the habit of dancing, and I played the violin for them, and that led me into their society a good deal; I used to play from 7 o'clock until half-past 8; I was down in their recitation rooms with the permission of the superintendent; no other male but myself was present.

Q. Was it true one of these times that you talked with Mary Donnelly? A. I have spoken to her during these times.

Q. Have you talked with her at other times when you ought not to, under the rules? A. Yes, sir, I have; I have broken the rules in that case, but the officers did not know it, as I know of; the pupils do not keep the rules strict by any means; they are made to be kept.

EDWARD C. DILLON *recalled:*

I wish to explain in regard to the answer I made in my former testimony: I do not know whether I gave any such testimony as I have heard some of the boys say that I did; it is reported that I said that the meat was hashed on an average three times a week; I was mistaken if I said so; I understood you to ask the question whether it was ever tainted three times a week, and I answered yes; I do not wish to be understood to say that it was tainted on an average three times a week.

LINDLEY S. LYONS *worn:*

Came from New Jersey, Morris county; have been here four years the 25th of May.

Q. [By Mr. Fields.] What has been your treatment since you

have been here? A. So far as I am concerned I have been treated badly.

Q. How is it with the food? A. The food has been generally pretty good, considering the place!

Q. Has it been wholesome? A. Yes, sir; all public institutions do not give us such food as we get in private families.

Q. Have you ever had meat that was tainted? A. Some would call it tainted; I would not say exactly tainted; I would call it kind of stale.

Q. Does that occur often? A. No, sir.

Q. How about butter? A. The butter is very good; I have always lived in the country; I know what good butter is; once in a while it is strong; coffee and tea about so-so.

Q. Not very good? A. Not very bad.

Q. Are you a teacher? A. Kind of a teacher.

Q. Do you eat at the same table with the pupils? A. With the pupils all the time.

Q. What trade do you learn? A. I learned the broom trade; I work at it now, and that I teach; I teach the broom trade under Mr. Derry.

Q. Does he know the broom trade? A. He does not; he never learned the trade.

Q. How many pupils have you in the broom factory? A. We have mornings what we call the forenoon boys; they understand the trade as well as I do; in the afternoon they vary in number, sometimes half a dozen and sometimes a dozen, and those are the ones I teach; I receive a compensation equal to what I would be likely to make in working in the shop; it is 32 cents a day that I receive as overseer of the shop under Mr. Derry; that is equivalent to 16 brooms a day at 2 cents a broom.

Q. Is 16 brooms a good day's work? A. No, sir.

Q. How many brooms is a good day's work for a blind man? A. We had a blind man who only had three fingers and one thumb on one hand, who made over three dozen a day; his name was John Mott; he was a boss of the shop; he is in Jefferson county now.

Q. Do you know why he left? A. He left because he wanted to, his time was up.

Q. During this time was he appointed? A. Yes, sir; all the time.

Q. How many brooms did you ever make in a day? A. I never worked a whole day in the shop when I learned the trade.

Q. Do you consider yourself a thorough workman? A. I consider myself a thorough workman, master of that part of the trade that a blind man can work at to advantage, making brooms with rope instead of wire; a blind man cannot make wire brooms to advantage.

Q. You do not teach the making of wire brooms? A. No, sir.

Q. Did you when Mr. Martin was there? A. No, sir.

Q. How long did you work at your trade with Mr. Martin?
A. Six months or more at the trade, since last vacation; he went away in the holidays.

Q. How long have you been learning your trade? A. I have been learning my trade ever since September last.

Q. And you consider yourself qualified to teach the pupils?
A. I do or I would not have taken the position.

Q. Have you ever been ill-treated here? A. No, sir, not as long as I behaved myself.

Q. How was it when you did not behave yourself? A. Then I had to suffer the consequences; if I happened to stay out, not being in at evening prayers, I would have my pass taken away and I could not be allowed to go out; that would make me more careful in future.

Q. Do you know of the boys ever being put in a dungeon? A. I have heard of them being put in a dungeon.

Q. Do you attend school now? A. Yes, sir.

Q. To what class do you belong? A. The senior class.

Q. Who is your teacher? A. I have several teachers; Mr. Boardman, Miss Hutchins and Mr. Babcock.

Q. Have you ever had Mr. Canfield for a teacher? A. No, sir.

Q. You do not know anything about him? A. I have never been in his class; I consider him competent to teach the class of pupils he teaches.

Q. Have you any knowledge which will enable you to form an opinion as to whether he is competent or not? A. I have of his competency.

Q. How did you obtain it? A. I am pretty well acquainted with him; he used to go to school when I first came here; he was in one of the first classes.

Q. Is he still a pupil there? A. No, sir; he is very expert in reading.

Q. Is Mr. Babcock kind in his manner? A. Yes, sir, gentlemanly every way.

Q. Is he ever harsh to pupils during recitation hours? A. I never saw any harshness in him; I have known him to speak when he had reason to.

Q. How is it about the dormitories? A. They are well enough so far as I have seen.

Q. Which one do you sleep in? A. The upper one.

Q. Do you know of there having been water pails set in the dormitories to catch the water that leaked through the roof? A. There have been such times, but not lately.

Q. How long since that occurred? A. Sometime this year (1864).

Q. Do you notice ever that the walls are damp? A. Yes, sir; the walls are damp all through the house.

Q. Have you ever heard the boys complain as to their food?
A. Yes, sir, I have heard them complain of everything.

Q. Are these complaints reasonable or unreasonable? A. I should say for my part they were unreasonable.

Q. Have you ever been sick? A. Yes, sir, I was once.

Q. What was the matter with you? A. I was attacked with a very heavy cold and came very near having congestion of the lungs.

Q. How did you get cold? A. I don't know how it was.

Q. Is there not a general complaint here among the pupils in regard to the dampness of the dormitories? A. Yes, sir, they have talked a great deal about it; in a building like this it could not be other than damp; it is all stone; in real rainy weather you can scrape water off the wall.

Q. What is the objection to having a stove and having a fire in the dormitory on wet days, to dry it, would it not be an advantage? A. I would not want to sleep in a room where was a fire; it is a great deal healthier to sleep in a room without it.

Q. Did you ever hear of Mr. Babcock punishing scholars—slapping them or whipping them? A. Not lately.

Q. Did you hear of it two or three years ago? A. I knew he had some trouble with the little boys.

Q. Did you ever hear of his punishing Alfred Burnham? A. I heard something about it, but I cannot tell exactly what it was.

Q. [By Mr. Strong:] Do you know when the committee were here the other day? A. Yes, sir; I knew at the time.

Q. What time did they arrive here? A. On Saturday, some time in the morning; they went away in the evening, I think it was between 3 and 7 o'clock.

Q. Were you locked up in the dining-room while they were here? A. Not that I know of.

Q. Were you in the dining-room that day? A. I do not remember whether I was in the dining-room that day or not.

WILLIAM SKELLINGER sworn :

I have been here since the 4th of January last; I reside in Havana, Schuyler county.

Q. [By Mr. Fields.] What has been your treatment here? A. Very good.

Q. Were you born blind? A. No, sir; I have been blind for about two years.

Q. What is the cause? A. An affection of the optic nerve; I am not entirely blind.

Q. Have you any complaint to make in regard to the food you eat here? A. Nothing in particular that I know; only sometimes the meat has not been very good, once in a great while; we had bad butter once for about a week—strong butter; some like it and some do not; the tea has not been very strong; it has been so that I liked it very well; it is strong enough to suit me; I do not care much for tea and coffee.

Q. Do you eat meat often? A. At every meal, when they

have it; it is only once or twice that I found it bad; that was pork.

Q. How is it with the fish? A. I do not care much for the fish.

Q. Has it been good or bad since you have been here? A. What I have eaten has been good; I have no complaint to make about the dormitories; they have been very good, so far as I am concerned; my treatment here has been very kind; the officers have been very kind; I have had my pass taken from me for talking to some of the girls; that was a violation of the rules; it was taken from me half a day, but I got it again.

The court then adjourned at 6½ p. m. to Saturday morning (April 2d), at 11 o'clock a. m.

SATURDAY, April 2.

Present—Mr. Fields and Mr. Strong, and J. W. Bulkley, Esq., Superintendent of Public Instruction for the city of Brooklyn.

DAVID PRICE, *sworn*:

Q. What is your name, and where are you from? A. David Price, from Flatbush, Long Island.

Q. How long have you been here, in this institution? A. Three years.

Q. Have you been treated well since you have been here? A. No; the teachers and Mr. Babcock have ill-treated me.

Q. What did Mr. Babcock do to you? A. He whipped me when I was a new pupil, when I first came here.

Q. How long ago was it that he whipped you? A. Two years ago and better, about three years.

Q. Have you been whipped since? A. Yes, sir, I have.

Q. By whom? A. Mr. Babcock, sir.

Q. About how long ago? A. Not long ago; about two years ago.

Q. What were you whipped for? A. The first time I was whipped, I spoke a few words in the dormitory and Mr. Babcock put me in the dungeon.

Q. When he whipped you, did he unbutton your pantaloons? A. He wanted me to unbutton them, but I would not do it for him.

Q. You declined doing it? A. Yes, sir.

Q. What did he do then? A. He laid me across his knee.

Q. He tried to take your pantaloons down and could not? A. Yes.

Q. Did he hurt you? A. Yes, sir.

Q. The second time, what did he whip you for? A. I said a few words more in the dormitory, and he called me outside of

the school room and punished me, slapped me in the face and pulled my hair.

Q. Has he whipped you any other times than those times you have mentioned? A. Yes, sir, he has put me in the office.

Q. But has he whipped you? A. No, sir.

Q. When he puts you in the office, the punishment is just to stay there? A. He has put me there through dinner and supper.

Q. Then sent you to bed without your supper? A. Yes, sir.

Q. How often? A. I don't know, sir; quite often.

Q. Usually, is Mr. Babcock kind to you, or overbearing and severe? A. He is severe to me; when I ask him for anything, he almost always refuses.

Q. From what you know, is he pleasant or unpleasant to the pupils generally? A. Not very pleasant.

Q. Have you any other complaint to make so far as your treatment is concerned, so far as punishment is concerned, besides those you have already mentioned? A. No, sir.

Q. How long were you kept in the dungeon? A. I was kept from 8 o'clock in the morning till 8 o'clock at night.

Q. Did you have anything to eat? A. No, sir, I did not.

Q. Have you any fault to find with your food here, and if so, what? A. Yes, sir; it is not right as it ought to be, the meat is tainted and the potatoes are not half prepared.

Q. The cooking is defective? A. Yes.

Q. How about your dormitories? A. They are damp.

Q. Are the beds damp now? A. Yes, they were last night.

Q. Were they as damp last night as they usually are? A. No, sir, and the water in the tub was not so cold as it usually is.

Q. What do you mean by the water in the tub, the water in the bath tub? A. Yes.

Q. Did you bathe last night? A. No, sir, this morning.

Q. How many boys bathed this morning? A. There were about ten.

Q. In one tub? A. Yes, sir, it is quite a large tub.

Q. How many bathe at a time, usually? A. As many as can get in at once; there are two squads; what cannot get in the first, get in the second.

Q. Is there any teacher or overseer there while you are bathing? A. Yes, a teacher, Bernhard Greiner.

Q. Does he superintend your bathing; is he present when you bathe? A. Yes, sir.

Q. How long do you remain in the bath? A. Sometimes five minutes, and sometimes ten minutes.

Q. Do you have soap to bathe with? A. Yes.

Q. Does each of you have a clean towel? A. The little boys have two towels a week.

Q. Does each of you have a towel for bathing? A. Yes.

Q. A clean towel? A. I don't know whether it is clean or not;

I think we have to use the same towel—when one boy gets done with it another has to take it; sometimes we get a dry one and sometimes a wet one. *

Q. How often do you have to black your boots? A. Whenever they are dirty.

Q. Is there any regularity about it? A. Not that I know of; I think we are instructed to black them every Saturday.

Q. Who gives you this instruction or order? A. The nurse, Miss Mahony.

Q. Is she what you call the superintendent of the sick room? A. No, Mrs. Queale.

Q. What does the nurse do? A. She takes care of the boys and sees if they are clean; the sick nurse is the one who attends to them when they are sick.

Q. Have you ever been sick? A. No, sir; I have bad colds and sore throat though; Mr. Babcock would not excuse me from the matrass shop.

Q. Have you asked to be excused? A. Yes, and they would not excuse me.

Q. Have you any other complaint to make? A. Yes, about Mr. Babcock's putting his dog in the tub where we were bathing.

Q. Bathed his dog? A. Yes.

Q. How often does this occur? A. He has done it twice while I have been in the bathing tub.

Q. At the same time you were there? A. Yes, sometimes.

Q. What kind of dog is it? A. A Newfoundland dog.

Q. How long since the dog bathed in the tub? A. Last Saturday; there were four boys in the tub then.

Q. Was the dog let in at your request? A. No.

Q. Was Mr. Babcock present? A. Yes.

Q. Did he say anything? A. First he said, "shall we put the dog in?" and then he said, "get out, boys,—we will put the dog in"; we had only got in a few minutes before, and we told him we would like to have a longer bath; then he took the dog and put him in.

Q. Did you object to it? A. No, sir, I did not.

Q. Have you any other complaint to make? A. Yes, sir, about the opening of letters.

Q. Do they open letters? A. Yes, they do.

Q. Whose letter did they open? A. Michael McNeil's.

Q. Can he see? A. Yes.

Q. Is he here now? A. Not in this room.

Q. Have you ever complained about the treatment to any one; to the superintendent or any one else? A. No, sir; it would not be of any use.

Q. Anything else you wish to complain of? A. No, sir, that is all.

Q. How old are you? A. Twelve past.

JOHN MAHONY *sworn*:

Q. How old are you, John? A. Twelve years old last February.

Q. Where are you from? A. New York, 69 Montgomery st.

Q. Are your parents living? A. No, sir.

Q. Have you any relatives? A. Yes, sir, brothers and sisters.

Q. How long have you been here? A. Five years.

Q. What complaint have you to make? A. I have a complaint about the bathing; generally the water is cold, and is not changed; we have to bathe in one squad at six o'clock in the morning, and then another squad bathes.

Q. Do the second squad bathe in the same water as the first? A. Yes, sir.

Q. It is not changed? A. No, sir.

Q. Any complaint in regard to your towels? A. I always get wet towels.

Q. Do you know whether anyone else has used the towel before you? A. Yes, there has.

Q. Don't you have a dry towel at all? A. No, sir, until to-day; then I took my own towel from my room.

Q. How many towels do you have a week to wipe on? A. Two.

Q. One towel lasts you three days? A. Yes, sir.

Q. Have you anything to say about the food? A. We have cocoa, but I have to eat bread and water in the morning, because I do not like the cocoa.

Q. Is't there any tea? A. No, sir, they do not give it to us; some tables have it, I believe.

Q. Who waits on your table generally? A. Emma Simmons and Miss Mahony.

Q. Any other complaint to make about the food? A. Yes; the meat is tainted; it is usually tainted on Wednesdays and Thursdays.

Q. How about the butter generally? A. I do not eat butter.

Q. How is the bread? A. I have had it sour, but usually the bread is pretty fair.

Q. Now as to your treatment; have you ever been whipped? A. Yes, by Mr. Babcock.

Q. How long ago? A. About four or five years ago.

Q. For what were you whipped? A. One day I was in the singing class and he called me up and stood me by the piano; then took me into his room with another boy; spoke a few words to the other boy and let him go; then he put me between his knees; I did not want to lean over, and he put one hand to my back and the other on my stomach and leaned me over, and had my head touch the floor on one side and my feet on the other side.

Q. Did he spank you? A. Yes.

Q. With your pantaloons on? A. Yes.

Q. Did he hurt you? A. Yes.

Q. Is that the only time you have ever been punished? A. I have been in the dungeon.

Q. How long since? A. About three years.

Q. Have you been punished within the past three years? A. Yes, sir, I have been sent in the office.

Q. Any punishment inflicted on you there, except confinement in the office? A. No, sir.

Q. Was that for a violation of some of the rules? A. Yes, sir.

Q. How about your bed? A. It is damp.

Q. Are your teachers kind or unkind to you in language manners? A. In language they are generally unkind.

Q. What class are you in? A. Junior.

Q. Miss Murphy your teacher? A. No, sir.

Q. Who is your teacher? A. Mr. Babcock, Miss Knowles, Mr. Boardman and Miss Cox.

Q. Any other complaint to make? A. No, sir.

HERBERT ESTES sworn:

Q. How old are you, Herbert? A. Fourteen past.

Q. How long have you been here? A. Nearly three years.

Q. Where are you from? A. Brooklyn.

Q. Are your parents living? A. Yes.

Q. What complaint have you to make, if any, in regard to your treatment and fare and food in this institution? A. In regard to the food, I have to complain that it is bad.

Q. In what respect? A. The meat is tainted, the potatoes are not well prepared, and all the food is poor.

Q. Have you ever been punished here—whipped? A. No, sir, I have never been whipped.

Q. Ever been in the dungeon? A. No, sir.

Q. You can see some, can't you? A. Yes, sir.

Q. How about your dormitories? A. The beds are damp.

Q. How about your bathing? A. The water is cold and not clean.

Q. Do you all bathe in the same water? A. We bathe in squads.

Q. How many get in the bath at once? A. As many as can get in.

Q. Do you have each of you a towel, or do more than one use the same towel? A. I most generally get a towel from the man that has them.

Q. How is it with the other boys—does each of them have a towel? A. Sometimes, and sometimes they have to wipe on wet towels.

Q. Were you present when the dog was put in the bath-tub? A. No, sir.

Q. Have you ever heard of that occurrence? A. Yes, I heard about it.

Q. Is the language of your teachers kind or unkind to you? A. Generally unkind, and their treatment is most generally harsh.

Q. Do they seem to have an interest in your advancement, or are they indifferent? How is it? A. I think they seem to have an interest in our advancement; I think they like to have us advance.

Q. Any other complaint to make? A. Yes, being punished for trivial reasons, or for no reason.

Q. What are they? A. It is done repeatedly; one time I was punished for talking at the change of classes; I did not talk; I was called up by Mr. Babcock for talking; he spoke to me about it, and I told him that I did not talk, and he told me that the teachers knew better than I did, and my pass was to be off in the morning.

Q. Anything else? A. In the singing class one day I was looking round in the seat back of us, seeing the teacher show the boys how to beat time, and he turned round and took me by the ears and pulled me round, and I told him not to do it again, and I was called up afterward, and Mr. Babcock punished me by sending me to bed without my supper.

Q. How long ago was that? A. I guess about two or three months ago.

Q. Any other complaint to make to the committee? A. No, sir.

JOHN DOUGHERTY, sworn:

Q. You are from Brooklyn, John? A. Yes, sir, city of Brooklyn, Kings county; I do not know the street and number exactly.

Q. Are your parents living? A. My mother is living, and I have sisters.

Q. How long have you been here? A. About six years and a quarter, or a little over.

Q. Have you any complaint to make to this committee? A. Yes, sir, several complaints.

Q. What are they? A. The food is not good, and the pupils are generally misused in various ways.

Q. In what ways are they misused, and what is the character of the food? A. The tables are not always kept clean, the stools are not clean, and the dishes are sometimes dirty; the food is very bad.

Q. What is the matter with the food? A. The bread is stale and sour, and sometimes hard, and the butter is very often bad.

Q. How with the meat? A. That is generally bad; we cannot eat the meat or potatoes; we have something that is called tea and coffee, but it doesn't taste like either.

Q. Do you drink it? A. Yes.

Q. How about the dormitory? A. I want to say a little more about the food: the meat is generally bad, and the potatoes, and sometimes we are not properly waited upon at the table; sometimes the servants leave the dining room before we are through, and sometimes we don't have enough to eat.

Q. Insufficient in quantity? A. Yes.

Q. How often does this happen? A. Not very often; when the meals are good there is a scarcity in the amount; this week back we have not had as good breakfasts as we have had; we have cocoa, which a great many of the pupils cannot drink—it is sickening to them—I can't drink it; and the other morning I asked if there was any tea in the dining room, and the matron said there was some, but she didn't get me any; I could not drink the cocoa, and had to go without my breakfast; I ate a kind of breakfast of bread and butter and water, but have not had a decent breakfast this last week, and I am expected to work, and I cannot eat, and I have not done so; and I have been punished when I ought not to have been.

Q. How punished? A. Last Thursday morning they gave us cocoa; I tried to drink it, and it made me kind of sick; there was no tea around, and I made out as good a breakfast as I could on bread and butter; that was not sufficient to make me feel like working; I went down to the shop, the foreman asked me if there was work; I told him there was plenty of work, but I was not able to do it, as I did not have a good breakfast; he asked me why I did not; I told him that we had cocoa for breakfast, and I could not drink it, it made me sick.

Q. What punishment did he give you? A. He took the pass off the hook without saying anything about it himself.

Q. How long did it remain off? A. Between seven and nine days.

Q. This prevented your going out, eh? A. Yes; I went to Mr. White, and asked him if he took the pass off the hook; I told him I would like to know what he took it off for; he told me for disobedience in the shop; I told him I did not call that disobedience, because I could not work; I told the boss I could not work, because I did not have breakfast.

Q. Any other complaint about the food? A. And stews are not fit to be eaten.

Q. About the dormitory—your bedding, is that dry, or wet? A. The bedding is very often damp—kind of wet, on rainy and stormy days.

Q. What class are you in? A. I don't belong to any class at present.

Q. Why do you not? A. Because my time came to an end, and I wanted to go to the shop and learn a trade; I don't go to school now, but I can tell a little about the school.

Q. What about the teachers—are they competent, or incompetent? A. Some of them I do not think are competent.

Q. Who is it that you think incompetent? A. Mr. Babcock is not competent.

Q. How about Mr. Canfield? A. As far as I understand, he is not capable; I have not been to school to him, I am very happy to say; I cannot say as to his capabilities, except from what I

hear from his pupils ; but I can say that he used to teach music last year, and was not capable of that ; I remember of his teaching one pupil, and he taught him wrong, or the pupil played wrong, and he didn't seem to notice it.

Q. Do you play music ? A. Yes, I play music ; I am the organist here at present.

Q. Who taught you ? A. I have had different teachers—eight or ten different ones since I have been at the institution ; at present the head teacher is my teacher.

Q. Is he a good teacher ? A. He may be a good teacher, but I don't think he teaches for the interest of the pupils.

Q. In what respect is his teaching defective ? A. It is taught here more to show off for the institution than for the interest of the pupils ; they are not taught the rudiments as they should be ; they are taught more to show off at exhibitions.

Q. What shop are you in ? A. I belong to the broom shop.

Q. Have you received all the advantages there that you think you ought to have received, to aid you in learning the trade ? A. No, sir, I have not.

Q. In what respect has it been defective ? A. The foreman does not understand the trade.

Q. Does Mr. Lyons understand the trade ? A. No, sir, he is not capable of the position that he holds.

Q. How long have you been there ? A. It is about a year and a half since I first went into the shop.

Q. How many rope or cord brooms can you make in a day ? A. I can make, I guess, about a dozen on an average.

Q. You get two cents a piece ? A. Yes ; if I had the right food to work on I could work better.

Q. How much do you receive as your proportion of the earnings ? A. I work and get one-sixth, and receive thirty-seven cents.

Q. Have you been examined before ? A. No, I have not been in this room before since you began to examine.

Q. Do you think you earn more than the thirty-seven cents ? A. I cannot say as to that, because I do not work very regularly ; the shop as a general thing is not properly conducted.

Q. Is there sufficient stock on hand ? A. Not at all times ; sometimes the pupils have to be idle, and the pupils on the last year ought to get the preference, but they do not at all times ; the shops are not seen to as they ought to be ; the pupils have to be idle, and cannot get anything to do

Q. Any other complaint have you to make ? A. Yes, sir, the shoes we get are not worth the money we pay for them ; we pay from ten to fourteen shillings for shoes, and some of them break out in a week, some the heels come off, and they break in different places.

Q. Anything else? A. Yes, sir, about the insufficient attention paid to the pupils by the teachers; the music teachers, for instance; Mr. Hagar don't attend to the pupils as he ought to; he is very irregular, sometimes lets his pupils go for weeks without lessons, and when he does teach them, he don't take enough pains with them.

Q. Lets them go sometimes a week? A. Yes, sir, and weeks, without giving them lessons at all.

Q. Is he the regular music teacher here? What is his name? A. Clement Hagar; when I went to school Mr. Babcock also did not attend to his classes properly; he was very often absent from his classes.

Q. Any other complaint to make? A. Yes, sir, I do not think that Mr. Wait, the superintendent, is capable of the office that he holds; he dont seem to have any mind of his own; he seems to be influenced by his brother-in-law Mr. Babcock and his wife.

Q. Whose wife? A. His own wife, Mr. Babcock's sister.

Q. Mr. Babcock's sister was married to Mr. Wait? A. Yes, sir, last fall.

Q. She is not blind? A. No, sir.

Q. Is Mr. Babcock married? A. I do not know as he is married; I cannot say whether he is or not.

Q. You never saw Mrs. Wait, did you? A. I have sometimes seen her.

Q. Does she teach? A. No, sir, not at present.

Q. Has she ever been a teacher in the institution? A. Yes, sir, she was for four years.

Q. What other complaint have you to make? A. I have a complaint to make about the doctor.

Q. Have you ever been sick? A. Yes, sir.

Q. Did you receive proper or improper treatment? A. I received improper treatment from the doctor.

Q. In what respect? A. About two years ago this spring, I caught cold in my eye, and my eye burst; he did not seem to give me any encouragement; the only consolation he gave me was, he would walk over to the window and say: "I have seen many an eye like that before; I wish I had a dollar for every eye I have seen like that."

Q. Did he give you any treatment? A. I suppose he did; I do not think he is capable of being the physician of this house; I have a complaint to make about the bathing room; it is not clean, and the water is not heated rightly.

Q. You have to bathe in cold water? A. Sometimes we have to bathe when it is too cold, and sometimes when it is too warm.

Q. Are a large number of you obliged to bathe together? A. In different numbers; we divide up into squads; some squads have from ten to fourteen, and some from fourteen to eighteen.

Q. You are obliged to go in all at once? A. We have a certain time to go in, and generally go in together.

Q. You have a towel each of you, don't you? A. Yes, sir, each of us has a towel.

Q. How many towels per week do you have in your sleeping room? A. We each have two a week in our dressing room.

Q. Do both squads bathe in the same water, or is the tub emptied for the second squad? A. I think it is not emptied; I cannot say for certain, because I cannot see; but about the bottom of the tub is not clean.

Q. What other complaint have you to make? A. About partiality shown by the superintendent and by the teachers, and by different ones; some pupils are permitted to go around almost as they please about the institution, and others are kept down and punished for the least thing.

Q. Give us an instance? A. Alfred Collins, he goes out almost every day—whenever he chooses to go out—girls' days and boys' days; and he seems to go round the house as he has a mind to, stays in the lower office when he pleases, and other pupils are not allowed to; Mr. Wait made a rule against it, but he goes there and stays just as he pleases.

Q. Any other complaint to make? A. No, sir, not at present.

Q. Do you mean that you cannot remember anything more, or that you do remember more, and do not wish to tell it? A. Because I cannot think of any more just now.

CHARLES H. STAFFORD sworn :

Q. How old are you, Charles? A. I was fourteen years old the 28th of March.

Q. How long have you been here? A. A little over three years.

Q. Where are you from? A. Chenango, Broome county.

Q. Have you any complaint to make? A. Yes, sir, the food is not good, the meat is tainted at least three times a month; our bread is stale, we have fresh bread about twice a month; the potatoes are not cooked well; I have had potatoes that have had black spots in, and again when I cut them in two they would be rotten inside, and the food generally is not good.

Q. How about your sleeping apartments? A. The beds are sometimes damp, not so often in the lower dormitory, the dampness cannot get there so easily; the beds are sometimes damp.

Q. Have you ever been whipped? A. No, sir.

Q. Any complaint in regard to your teachers? A. I think they are not capable of teaching.

Q. From your own knowledge do you think so? A. Yes, from my own knowledge.

Q. What class are you in? A. The sub-junior; one day I was in the class and there was a word given me to spell, I did not know how to spell it, and the teacher told me I did know how to spell it, I told her that I did not; I tried three or four times, and she said I knew how to spell it, and she would not give me much

longer to spell it, she told me to go to the office and I went, that was the first time, and the fifth hour Mr. Babcock came in and spoke to me, he said, "I am going to punish you for being impudent and saucy to the teachers;" I said I would like to know in what way I had been impudent and saucy to the teachers, and he said, "I am not going to argue with you, go and sit by the clock," and he kept me on bread and water in the office all Friday and Saturday; this was on the 22d and 23d of January last, and he kept my pass off from that time till the 12th of March.

Q. You were not allowed to go out eh? A. No, sir.

Q. Did you ask for your pass during this time? A. I did.

Q. What answer did you get? A. He said that my pass was off the hook; he said I could not go out.

Q. Any other complaint to make Charles—anything more you want to say to the committee? A. No, sir.

Q. How about your bathing? A. We little boys go in a crowd, and there is generally about fifteen or sixteen of us; we do not get our water changed; we have the water that the crowd before us had; this is before breakfast.

Q. Were you in the bath tub with the dog? A. No, sir.

Q. That has never occurred but once or twice, the bathing of the dog? A. No, sir, I was in the room at the time.

Q. Was it in sport that Mr. Babcock threw the dog in? A. I think it was, it was as far as I know.

Louis H. Lewis *sworn* :

Q. Where are you from? A. From Delhi, Delaware county.

Q. How long have you been here? A. Over a year.

Q. Were you born blind? A. No, sir.

Q. How did you lose your sight? A. I caught cold, and inflammation followed.

Q. Are your parents living? A. Yes, sir.

Q. Are you entirely supported by the State, or do you receive money from your parents sometimes? A. I receive money from my parents, but I am supported by the State.

Q. What complaint have you to make, Louis? A. The food is bad.

Q. In what respect? A. Cut the potatoes in two, and sometimes they are hard from not having been properly cooked.

Q. How about the meat? A. The meat is tainted.

Q. Often? A. Not very often—pretty often.

Q. Are you testifying of your own knowledge, or are you testifying what other boys have told you to testify? A. No, sir, it is from my own knowledge.

Q. How old are you? A. I was twelve years old the 26th of last March.

Q. Any complaint to make as to your teachers; do they treat you kindly or unkindly? A. They have treated me unkindly.

Q. In what respect? A. In punishing me.

Q. How have they ever punished you? A. It was a week ago last Monday; Katy Murphy pronounced a word to be spelled; I happened to spell one syllable, I thought she meant the class, and so I spelled it with Peter Ward, and she stood me up for it; I said, "Yes, ma'am, I will stand up," and she then sent me to the office and kept me there; I am under that punishment now; they wanted me to confess that I was wrong, and I told them I had been punished for nothing too much in this house.

Q. Is that the only time you have been punished? A. No, sir; when Mr. Rankin was here I was playing with one of the boys and happened to come out to breakfast; I was'nt any too late to go in; I came up after a little while and Mr. Rankin caught me and put me in the office before the breakfast, and kept me there till school and then let me go.

Q. Any other complaint to make? A. Yes, the beds are damp.

Q. You sleep in the upper dormitory, don't you? A. No, sir, in the lower.

Q. Who has charge of you? A. Mr. Bernhard.

Q. Is he kind in his treatment to you? A. Yes, sir.

Q. He is a pupil, is'nt he? A. Yes.

Q. How about the bathing? A. The water that our party bathe in is dirty—it looks dirty.

Q. You cannot see, can you? A. Yes, sir, I can see.

Q. Do you have a dry or wet towel? A. I generally get a dry towel; some of the other boys get towels that others have wiped on

Q. Any other complaint to make? A. Yes, something more about the food; the cocoa is bad.

Q. You do not drink tea or coffee, do you? A. Yes, sir—they cal lit coffee and tea.

Q. Did you use coffee and tea at home? A. Yes.

Q. Do you live as well here as you did at home? A. No, sir.

Q. What does your father do at home? A. He used to work in a mill; he is at the war now.

Q. He is poor, is'nt he? A. Yes, sir.

Q. Do you ever have any fruit to eat here, apples on the table at dinner? A. In the evening at New Year's I have had them here.

Q. Did you have them on the table? A. Yes, sir.

Q. Have you had them since? A. I do not remember.

Q. Do you have any dessert—any pie or pudding ever? A. Yes, sir, some bread pudding sometimes on Friday; have had it on Tuesdays and Fridays.

Q. Every week? A. No, sir.

Q. How often? A. There is no regular time for it.

Q. Are you instructed in regard to cleanliness of habit—told to keep your clothes and boots clean? A. Yes, sir.

Q. How often are you compelled to black your boots or shoes

A. We are not compelled to do it at all, but we generally do it once a week.

Q. And you change your shirt how often? A. Once a week—flannel shirt once in two weeks.

Q. You sleep in your cotton shirt, do you? A. Yes, and we wear that a week.

Q. Anything more that you want to say? A. No, sir, not at present.

CHARLES CASE, *re-called*:

Q. If you have any new facts to give to the committee come and state them? A. I have something to state about the bath, it is not properly attended to; water is put in the bath tub Friday morning about I guess, eleven o'clock, and it takes some three hours to fill the tub.

Q. Give us right here the size of the bath tub, you can see, some, so that you can tell us? A. The size of the bath tub I should think to be not quite half the size of this room.

Q. That would be about eight feet square, would it not? A. It is about eight feet square.

Q. In this tub how many usually bathe at a time? A. From fifteen to twenty.

Q. You stated the water was put in when? A. At eleven o'clock; that is warmed up for the teachers to bathe in; now the arrangements for warming the water are out of order, and have not been fixed, so that they change the water and warm it in time; so they let out a portion of the water, that they can say the water is changed, and warm it up; that water is used for another squad that goes in Friday evening, between nine and ten, and then the water is kept in, and then the steam is turned on again, and it takes nearly all night to warm it for Saturday morning for the bathing squad that bathe between the hours of six and seven; after that, of course, the water for the little boys is warmed up again, and thus each time only a little water is let out, and I have been in the tub and found sticks and dirt and old pieces of soap, and everything of the kind; and the water is dirty and sometimes cold, so that when a person gets into the water it is sometimes chilly; and then the fires in the morning are not very well attended to; after coming out of the bath the room that we have bathed in, having had no fire in it, is so cold that the water will freeze solid in the troughs where the water comes out; the rooms to which we return are not properly warmed; there is a chance for every pupil to catch a very severe cold.

Q. Does each of you have a clean towel to wipe on? A. I have two towels a week.

Q. One for your bath and one for your dressing room? A. Yes, sir; and then about Mr. Wait, I think he is unreasonable.

Q. In what respect? A. In a case with me; I was reported

for some fault when I left the dining room; it was charged that I cleared out my throat in a boisterous manner and spit upon the floor, and that I said I was left by some legacy for the teachers, that was the way I was reported; I was brought up to Mr. Wait about it, and when he told me of it I asked him to bring the person that reported it, and he said he would not, and tried as well as he could to make me out a liar, and told me, when I asked him to listen to my reasons, that he did not wish to listen to any reasons.

Q. What other fact? A. The fact in regard to making the pupils kneel to the teachers; when Miss Babcock, now Mrs. Wait, was a teacher in one of the classes that I was in, she left the room and went out, and a great many of the pupils went round the room talking; in some way or other I happened to lift up my hand and it came down and made a kind of noise, she was standing outside the door talking, and she opened the door and asked who it was, and I said, "it is I," and she said, "go down to the office;" when I went down to the office I was met by Mr. Rankin, at that time this was his office, I was sent up here.

Q. Here to this office? A. Yes; Mr. Rankin told me to go to Miss Babcock and ask her forgiveness for the thing that I did; I didn't consider that I ought to ask her forgiveness.

Q. Did he tell you how to ask her forgiveness? A. No, sir; he told me to go; I went in the room, and she was talking to some pupils; I simply took my seat, intending to rise when she got through; after she got through, she said: "Did Mr. Rankin send you here—did he send you in this way?"

Q. Come to the facts? A. The whole fact was, that he requested me to kneel down to her and ask her forgiveness.

Q. Is there any other fact? A. No, sir.

KIERNAN TOOLE sworn:

Q. You can see, can't you? A. Yes.

Q. Are you a graduate? A. Yes, sir.

Q. When did you graduate? A. A week ago yesterday, I left the institution.

Q. Where are you from? A. I came from this city.

Q. How old are you? A. I will be twenty-one next October.

Q. How long were you in the institution? A. Three years, the 18th of last March.

Q. State as briefly as possible to the committee any ill-treatment, defects in regard to the food, or physical treatment, to which you were subjected while here? A. I will commence with the food; I think it has been entirely unfit to eat; I won't mention any in particular, for it is all unfit to eat, nothing we get here is fit to eat; if it is not bad in one way, it is in another; the meat several times has been tainted—I have known it to be tainted three times a week, but I would not say it averaged three times a week; I have known

the corn beef and the pork and the meat with the stew to be tainted, and we do not get any coffee—we get something here that they call coffe—it is no coffeee at all—I don't know what it is in fact; and the tea we get, I don't know what to call that either; it is called tea by the folks in the house; they say it is the best black tea that they use here, but it seems to be mostly sticks, and what they call tea has no more taste of tea in it than so much dish water; not long ago—three or four weeks ago—I called Mr. Wait to the table and showed him some meat; he took the plate, and I asked him if he would not take a smell of the pork, and he took it over to the assistant matron, Miss Hardenbergh, and showed it to her, and he came back to the table and said, that meat was not fit to eat, and ought not to have been put on the table; they both agreed that the meat was not fit to eat, and he came back and told us that he was very glad we had showed him the meat, and his attention had been drawn to it; and he was requested to taste the beans; he said they were sweet, but were not cooked properly, and he would not eat them; and he came to the table in the evening, and requested us to call his attention to anything that was wrong, and he thanked me for drawing his attention to this, for if I had not done so, he would have known nothing about it; I believe he afterwards denied saying anything of the kind; the managers said that the same meat was taken to their table, and they said it was perfectly sweet and fit to eat.

Q. About the dormitories? A. They are very unhealthy indeed; I have seen behind beds a tub and four pails to catch water—behind some beds; I have known my sheets quite damp—I believe if you were to wring them you could wring water out of them, and I have lost my health, I think, by sleeping in such a damp room, and you can scoop the water off the walls in the dormitory when there is a very excessive rain.

Q. As to the teachers? A. Some of them are incompetent.

Q. Who are they? A. I believe Mr. Babcock is not fit for the situation that he holds, and I also believe Mr. Canfield is not, and the general run of teachers are not capable of teaching their classes.

Q. Does that unfitness arise from their disposition or their want of knowledge? A. From their want of knowledge.

Q. You do not think they are sufficiently instructed? A. I do not think they are.

Q. As to the treatment while you were here—did you know of pupils being punished physically? A. I have known pupils to be punished by Mr. Babcock and Mr. Wait—and also by the other superintendent; Mr. Babcock has treated me with partiality.

Q. Whom did Mr. Wait beat? A. I have not seen him beat anyone, but I have heard of his doing so.

Q. Whom did Mr. Babcock beat? A. I have heard of his beating little boys—Alfred Burnham, James Anderson, and John

Mahony, and John Dougherty, and Mr. Wait struck Charles Lewis.

Q. What trade did you learn while you were here? A. I want to speak more of the treatment of Mr. Babcock and the superintendent; Mr. Babcock has treated me partially; I can see to read; he requested me to read; I did so for a couple of hours one afternoon; he asked me if I would do so again, and I told him I would rather not, that I was engaged in the shop, and I wanted to devote my time to my work—I was just commencing my last year,—he said he would get me excused from the shop and would see that it was all right, and I said, very well, I would if the foreman would be satisfied; he sent for me the next afternoon and the foreman said he would not excuse me from the shop, that he had plenty of work for me and could not excuse me; Mr. Babcock did not send for me any more, and I noticed a coldness, and every chance he could get he would haul me up and refuse me the privilege of going out.

Q. During the time you were here did you ever see any impropriety of conduct between the males and the females of the house, either as relates to teachers or pupils—any undue familiarity?

A. I have seen nothing that I would call improper, as far as the pupils are concerned.

Q. In the last investigation, there was a charge of licentiousness in 1862; have you seen anything of that kind on the part of any one connected with the institution at the present time?

A. No, sir, I have seen nothing of the kind; here, about eight weeks ago, there was a young man graduated from this house; he was foreman of the mat shop; his time had expired, and they did not need his services any more, and he left the institution; a week after he left the institution, he asked me if I would call down to his boarding house and fetch him (John Hays was his name) up to the institution; I did so; it was not against any rule, so I called after tea and fetched him up to the front door; I left him at the front door; he went in to see those that he came to see; the next morning, I was called up by Mr. Wait, and accused of bringing an outside person through the house; I told him that I did not bring any one through the house, and he said, "You brought him to the house;" and asked me if I did not know it was against the rules; I told him I did not, that there were no rules spoken of, forbidding any one to fetch any one to the front door; he said it was as bad as if I had fetched him through the house; I said I could not see how it was; he said he was the judge and would be the judge, he was to decide which was right and which was wrong; I told him that, of course, I would have to abide by his decision for the present; the fact is, that he took my pass off the hook and said it should stay off till I would leave the house; in the mean time, I got very sick—I had been losing my health here for eighteen months—I got very sick; I could not eat the food we get in this house; I was not

sick enough to go to the sick room, so I went to Mr. Wait and told him that I had been from Saturday night till Tuesday morning without eating anything; I asked his permission to go out and get something to eat; he told me I could not have my pass; he said that my pass was off the hook, and he would not allow me to go out to get anything to eat; I went to him to get permission to go out for medicine, he refused me that privilege; I have been to a doctor, and he advised me to leave the institution; he told me that I never would get my health, and he could not treat me while I was in this institution.

Q. What doctor was that? A. Dr. Edwards.

Q. Where does he live? A. He attends the Medical College, 23d street.

Q. What is the reason you did not have Dr. Clements? A. Because I did not like him.

Q. Has he ever attended you since you have been here? A. Yes, sir.

Q. Had you any fault to find with his treatment? A. He did not treat me with any medicine at all; he only gave me one dose of medicine while I was under his care.

Q. Any other fact that you desire to state to the committee? A. Yes, sir, the fact that Mr. Wait, when he was not three weeks in the house, did what was, I think, a very mean thing—what only a very small man would do—he commenced to undermine two of the foremen in the shops; he wanted to appoint me and another young man in their places unbeknown to them; we refused his offer, and since that he has always acted coolly towards us and treated us very partially.

Q. Is there any other fact? A. I think the arrangement about the bathing is an improper one altogether; we have not sufficient cleanliness; the water there, is sometimes not fit to bathe in.

Q. Any other fact? A. Yes; of course there are certain rules in the house, and if a pupil breaks a rule and goes to get excused, if he don't get excused from that person, it is of no use to go to Mr. Wait at all; if he goes to Mr. Babcock and he refuses to excuse him, it is of no use to go to Mr. Wait, (Mr. Wait was married to Mr. Babcock's sister, making Mr. Babcock his brother-in-law).

Q. In regard to your trade, did you have the advantages, and the aid and assistance in learning that trade that you think you ought to have had? A. I do not, sir.

Q. What was the reason? A. We have not proper arrangements here for instructing the blind.

Q. Were the persons in charge deficient in a knowledge of the trade you have been learning? A. They have been, sir, and are at present.

Q. Have you been short of material in the office? A. Yes, sir.

Q. Are you in the broom factory? A. I was in the mat factory.

Q. Was it damp? A. It is damp now, but where it was before it was perfectly dry.

Q. Did you graduate with the honors or the privileges of the institution, or a certificate of good behavior and proficiency, and everything of that kind? A. We receive no certificate.

Q. Did you have any marks of credit for good behavior or good conduct in the institution? A. I do not know, sir.

Q. Did you have any tokens or evidences of compliment or of praise for any good conduct? A. No, not that we know of.

Q. Is there anything else you want to state? A. I cannot think of anything at present.

PATRICK BOYLE, *recalled* :

Q. As briefly as you can, state what additional fact you have to lay before the committee? A. I have been connected with the literary department for five years, during which time our teachers often neglected their duties, and left their classes in charge of pupils. I myself have often had that class four hours in one day, or four three-fourths of an hour; of five recitations in the morning, I have conducted four myself; and during the time I was connected with the department I saw a case of brutal treatment of a young lady in the house, Margaret O'Connor, by Mr. Babcock; this young lady was ordered to stand up at his recitation.

Q. How long ago was this? A. Three years ago last October, I think; she stood up for the first and second recitations in Mr. Wait's class, and then came to the third recitation, which was taught them by Miss Babcock, now Mrs. Wait, and she was directed to stand there, Margaret O'Connor was, and Mr. Babcock came in and laid hands on the young lady and hurt her; I could not remain to listen—could not bear to listen—and so I went down to the office and reported to the Superintendent, Mr. Cooper; the superintendent called my name at chapel, in the way of a reprimand, and her's also, and justified Mr. Babcock, I believe, in his treatment to her.

Q. Anything else? A. As to the qualifications of the teachers—I believe them to be not properly educated, not qualified.

Q. Now, about the bathing? A. I believe I spoke of it before, I think the arrangement is not proper, the water is sometimes too cold, and I have known it to be too warm; but this is not what we find the greatest fault about, the great fault is after we come out of the tub, we have not proper conveniences for drying ourselves; we have towels sufficient, but the room is very damp and cold in the winter time.

Q. Does more than one squad bathe in the same water, to your knowledge? A. That I cannot say positively, but I think that more than one does.

Q. How long have you been here? A. Four years and eleven months.

Q. Have you ever seen or heard of any improper conduct between the pupils, male and female, of a criminal character? A. No, sir. One point more; my opinion is that no teacher that is interested in the welfare of the pupils is wanted in this institution, for the reason that one teacher in this house, Miss Cox, who had charge of the second class, the sub-senior, which class advanced rapidly and went nearly through the arithmetic—farther than they usually progress in the same time—the following year she was degraded, and no class has since gone as far in the arithmetic in the same time as she put that; one thing that I told you before I would like to make a little more explicit; I told you that to the best of my recollection I had got tainted meat from twenty to thirty times (which is so,) since I have been in this institution; I wish it to be understood that the tainted meat has not appeared but very seldom until lately—until the last two years; during that time, it has appeared more frequently than before.

CHARLES G. OTT *recalled*:

Q. What additional fact have you to state? A. In regard to the literary department and in regard to the shop I want to say a few words; I have been connected with the literary department for the last nine years; during that time the classes have been often left to the charge of pupils, and in this way we have been deprived of knowledge that we might otherwise have gained; I may say that in that time, by the teachers leaving the classes without a teacher, I have lost at least a year's schooling; I also will say that the superintendent has admitted in my presence, if I am not greatly mistaken, that a blind man could not teach the trades; he said this, or at least conveyed it.

Q. Did you hear him state it? A. Yes, sir; he says to me, "There is a fault somewhere; your brooms do not sell;" I told him the fault must be in the teachers; he says, "Since the brooms have not sold since you have had blind teachers, it must be the fault of these teachers;" the person who is teacher there is a blind man, and was taught by a blind man, Lyndon S Lyons, and Mr. Martin taught him.

Q. Was not Mr. Martin one of the most expert broom makers that ever was in the institution? A. Yes.

Q. Is he the one who, with four fingers, could make three dozen brooms a day? A. Yes, sir; Mr. Wait allows that a blind man cannot teach, because when Mr. Martin was foreman of the shop the brooms did not sell; there have been times when there has been scurvy and malignant diseases of the skin, and persons thus afflicted have been sent to bathe with those who were not; we have no fire in the bath room; I also wish to state there was evidence given yesterday by a certain pupil to the effect that the table was as good as we could ask for; he has told me that he did not depend on the food here; his name is Alfred Collins.

JOHN W. LEIGH, *recalled*:

Q. Can you see some? A. Yes, sir; Mr. Babcock and Mr. Wait have taken me out of school and sent me on errands for them, when I ought to have been studying; and when I ought to have been in the shop, Mr. Babcock has kept me three days out of the week reading for him—reading algebra and geometry for him to write down.

Q. Did you understand it? A. No, sir; I used to read it to him; Mrs. Wait had sometimes to tell me; I used to sit and read from 2 o'clock until 5 o'clock.

Q. How often did it happen? A. I used to be out of the shop sometimes three times a week to read; I dared not say anything about it, for I would have been punished.

JAMES MCGREARY and CHARLES G. OTTO being in the room, request that they may be heard. Their request is granted by the committee. They both complain of the manner in which the sick room has been kept. When requested to tell what kind of treatment they had received in the sick room, McGreary answered that he had been sick there, and received no treatment at all.

JAMES. ST. LAWRENCE, *being duly sworn, testified*:

Miss Cox taught me arithmetic as far as to find the greatest common measure; I was afterwards put back to another class, that of Mary Moore; I called her over and showed her sums in addition, subtraction, multiplication and division—that was in the last part of October, and she did not come to me again till near the end of December, when she showed me some in subtraction and multiplication, and since that time she has never come to me.

Q. Who has taught you in the mean time? A. Miss Cox has taught me.

Q. Has not Miss Moore come to you since? A. No, sir.

Q. Hasn't she taught you since? A. No, sir, nor paid any attention to me.

Q. Have you been ciphering in arithmetic since? A. Miss Cox took care of the class a few days, and from her I learned one of the rules she had taught me before, and which I had forgotten; that is all I have been taught since December.

Q. Are you not taught now? A. No, I sit there idle; she treated another boy so, but he kept teasing her and asking her, but I wasn't going to do that; there was another boy, James Baldwin, sitting beside him; she would show James Baldwin, and let him go.

The dinner hour having arrived, the committee, accompanied by Mr. J. W. Buckley, Superintendent of Public Instruction for the city of Brooklyn, were conducted to the boys' dining room, where 63 of the 67 boys belonging to the institution were assem-

bled. All who had anything that they desired to say to the committee further than what had already been said, were told to rise. The following are the names of those who responded, and who were directed to present themselves to the committee after dinner. George W. Sterrett, Patrick Kogan, Theodore Noones, James Sullivan, and Roosevelt Morris.

The committee having returned to their room, Geo. W. Sterrett first presented himself and desired to have a question of veracity settled between himself and Mr. Wait, when Mr. Tuckerman, one of the managers should have arrived.

THEODORE NOONES sworn:

Q. Where do you live? A. Forty-first street and Broadway.

Q. How long have you been in this institution? A. Five years the 28th of this month.

Q. What complaint have you to make in regard to your treatment or your food? A. The food is very bad; when I first came, I came expecting to have an education; my mother wanted me to learn music, so that when I grew older I could make it my business.

Q. Have you had any advantages here? A. I get an hour to learn music; I make considerable progress, learn considerable, and then they turn me back again; Mr. Rankin was very kind; he put me back on my music, and I learned; Mr. Wait came, and I was taken off by that means; I tried to do my best, and that is all I could do; my mother saw Mr. Wait; he promised to give me my music after the holidays, but he has not given it to me yet.

Q. Do you like music? A. Yes, sir.

Q. Have you an ear and a taste for music? A. Yes.

Q. Can you play a piece on the piano? A. No, sir.

Q. How far advanced are you? A. I know a great many scales.

Q. Altogether, how many hours have you practiced in the institution? A. I do not know that.

Q. How about your bathing; any fault to find about that? A. Yes; the water is not warm enough.

Q. Is it clean? A. No, sir.

Q. How do you know it is not clean? A. Because things have often been found in the tub.

Q. What things? A. A dead rat.

Q. Never found but once, was it? A. No, sir.

Q. Were you in the tub? A. Yes.

Q. Were you in the tub when Mr. Babcock bathed the dog? A. No, sir; James Anderson was.

JAMES SULLIVAN sworn:

Q. How old are you? A. Fourteen years.

Q. How long have you been here? A. Four years next September.

Q. Where did you come from? A. Randall's Island.

Q. What complaint have you to make in particular; anything more than about the food and beds? A. About the food; it is bad.

Q. How about the beds? A. They are damp.

Q. How about the teachers? A. They always come in late to the class.

Q. What special complaint have you to make; anything in particular? A. No, sir; the halls are damp.

Q. Have you ever been beaten or abused? A. No, sir.

Q. Have you had enough food, such as it was? A. Yes.

Q. Ever been sick? A. Yes; had the measles.

Q. Were you well treated when you had the measles? A. Yes; last week I had a bad cold.

Q. Where did you catch it? A. I don't know.

Q. Any other complaint to make? A. No.

PATRICK KOGAN sworn:

Q. How old are you? A. Twenty-three years, one month and twenty-nine days.

Q. How long have you been here? A. Three years the 22d of November last.

Q. Were you born blind? A. No, sir; blind nine years last December.

Q. How did you become blind? A. Chronic internal inflammation.

Q. Where are you from? A. The city of Cork; this city sent me here; I came from 150 Cherry street, city of New York.

Q. What complaint have you to make in regard to your treatment and instruction? A. I have not been to the school.

Q. In regard to the food? A. It is generally tough meat, and fish, when cooked, is generally unclean, and the butter has a very bad taste.

Q. Speaking generally, through the year, how is it? A. At intervals it has this bad taste; hardly passable.

Q. How about the bread? A. That is the only good article we get.

Q. How about vegetables? A. I never ate raw cabbage till I came here.

Q. Is it served up as cold slaw, or improperly boiled? A. It is served up, cut up with a little vinegar on it.

Q. You do not like it that way? A. No, sir.

Q. Served up as a vegetable, isn't it? A. Yes.

Q. How about the sleeping apartments? A. My bed used to be very damp; at times when I would get into it there would be a warm steam arising from it.

Q. Do you sleep in the upper or the lower dormitory? A. In the upper, I still sleep there.

Q. How about the bathing? A. I do not think it is clean, because so many go into a small tub; a squad gets in.

Q. How many? A. There were once 17 or 18.

Q. What is the usual number? A. I should think from 13 to 15.

Q. And that is the tub, about 8 feet square? It is 17 feet long and 7 feet wide.

Q. You are here learning a trade, are you? A. Yes, sir, the broom trade.

Q. How have you progressed? A. I think I progressed well under the old arrangement.

Q. Was Mr. Martin a good teacher? A. Yes, sir, he learned me to finish and make a broom.

Q. Was he a blind man? A. Yes.

Q. Who teaches you in the shop? A. Nobody but John Martin, William Carpenter, and Isaac Williams.

Q. Are these pupils? A. William Carpenter was a pupil once; at the time he came to teach the broom trade he was a graduate, not a pupil; Isaac Williams was never a pupil.

Q. Anything besides? A. I understood Mr. Wait to say on Tuesday morning January 12th, 1864, that he was going to have us taught the broom trade, so that we would understand our business when we left the institution, which had never been done before.

Q. How long have you been at work in the broom shop? A. Only since September 1862.

Q. Do you derive any benefit from your labor—do you receive any portion of your earnings? A. Yes, sir.

Q. How much did it amount to last year? A. I do not know whether it was a dollar and thirty-eight cents, or more; last vacation I worked in the shop and made \$10.91; the shoes we have to buy here are very poor; I got a pair the 29th day of June last, and before I had worn them four weeks the whole quarter from side to side was ripped.

Q. Did they give you another pair? A. We are told by the superintendent that we cannot have any more clothes.

Q. They charge them to you? A. Yes, after we get our \$30 worth.

Q. What do they charge you for ordinary shoes? A. The two last pairs I got were twelve shillings each.

Q. What did you pay for those you have on? A. I paid five dollars for them when I got them new; these shoes will last me for six months.

MARGARET O'CONNOR, *sworn*:

Q. Were you ever ill-treated by Mr. Babcock? A. Yes.

Q. What was the treatment? A. He took me in a very ungentlemanly way and pulled me out of my seat in the school-room before the whole class.

Q. Did he take hold of you? A. Yes.

Q. Did he injure you? A. He did not injure me.

A. Did you resist at all? A. No, sir; he took me so unawares, for I did not expect such treatment; his sister was a teacher in the class and she came in; Mr. Wait was then a teacher also, and he was the man that made the report to Mr. Babcock about me, so that three of them had met together and decided that I should be punished in the next class, which was Miss Babcock's to teach; when we went into the recitation room she was not in; she came in, gave orders to have the class called to order, and when this had been done, she called upon me to take my place standing on the floor; I asked her what I had done to stand on the floor; she repeated the order a number of times, I do not know how many, that I should take my place on the floor; I told her no; since I had done nothing in her class I wasn't going to stand there; I had no sooner got these words expressed than Mr. Babcock, her brother, came in and pulled me out of my seat; I was surprised; I told him to take his hands off; he laid his hands on my shoulder and shook me, and I told him to let go of me, and he held me there for some minutes; it hurt my feelings so that I cried at the time, and he kept hold of me till I had stopped, and I told him that I would report it to the managers and also the superintendent, and he then took me up to the room and let go of me; he first told me I could go alone but still held hold of me; he took me up to Mr. Wait's class-room and gave me in his charge till he could go, he said, and make a report to the superintendent; Mr. Wait wanted me to go back and do as Miss Babcock wanted me to, and I told him I hadn't done anything to deserve such treatment from him or his sister, and he then, at my request, brought me to the superintendent, Mr. Cooper, and Mr. Wait gave in his report against me; he said I had a bad influence on the pupils, and so Mr. Cooper gave me no satisfaction, and I told him I would see the managers about it, and so he kept me from school; I believe it happened on Monday, and they kept me from school until Wednesday, and the superintendent made me stand up before the whole school of pupils; he gave out his report, and then he went and saw the managers about it and laid my case before them, but didn't seem to get any satisfaction from them; after that I had no peace with Mr. Wait or Mr. Babcock; they were harping at me, getting all the reports they could against me, and again Mr. Babcock reported me and had me kept from school three months without any privileges whatever.

Q. Was Miss Babcock married at that time? A. No, sir, she was married last fall, 27th of October, I think.

Q. At any other time have you been ill-treated; have you been lately? A. No, not in that way.

Q. Have you any complaint with regard to any treatment you

have received within the last year; have you been physically injured? A. No, sir, not physically.

Q. Are your teachers kind or cross to you? A. Very lately—I have only a few teachers, only three—for a few weeks, Mr. Babcock has been extra kind; very lately he has been.

Q. Have you any complaint to make in regard to the food? A. I think it is not of a character to sustain the constitution; it is miserable.

Q. In what way is it miserable? A. It is badly cooked, and the meat is tainted, the bread sour and the hash sour.

Q. Any fault to find in regard to your sleeping apartments? A. Yes, they are wet; the dormitory, during the winter, was very damp, and I have known some young ladies to have to go and change their beds and to sleep with others on account of the dampness of their beds.

Q. How often do you bath? A. Once a week.

Q. Do you bath singly or together? A. Singly.

Q. There is no other girl in the bath tub with you? A. Certainly not.

Q. Have you any fault to find with regard to your bathing facilities, whether the water is clean or not? A. No, the water is right.

Q. How many towels do you have a week in your dressing room? A. I do not know about all the pupils; for myself I have only two towels; that, of course, is one clean one every week; of course you have to put one in the wash.

Q. Is there any other complaint that you wish to state to the committee? A. Yes, another thing; I have been deprived of my piano time since Mr. Wait has got to be superintendent; I considered that a great privilege, and he has deprived me of it; he had my name crossed off the music list; I asked for my piano time and he would not give it to me, or give me any reason why it had been crossed off; the teachers have these privileges that the pupils are deprived of; they have their piano time, and take singing lessons also.

Q. Do you consider your teachers competent or incompetent? A. I consider them capable of teaching me.

Q. Are they competent to teach the classes that they teach, or are you incompetent to judge? A. I suppose so, in the way the blind are now taught.

Q. Is there, in your judgment, any defect in the mode of teaching the blind? A. Not that I know of.

Q. When the girls talk together, is there a general complaint about the food? A. Yes, sir, a general complaint; the majority of the young ladies with whom I associate, complain.

Q. Has each of you a bed to yourself? A. Yes.

Q. Does the teacher sleep in the same dormitory every night? A. Yes; another thing that is not right is the cooking of the food; recently we have found hairs in the food.

Q. Does that very often happen? A. I don't know how often; sometimes it happens.

Q. How often do you have a clean napkin at dinner? A. Once a week.

MARY JANE DUNN *recalled* :

Q. Have they treated you kindly since you have been here? A. Yes, sir.

Q. Have they released you from your punishment? A. They have.

Q. Have you anything to say in addition to what you told us before? A. No, sir.

Q. Have they sent you back to your class? A. Yes, sir.

MARGARET O'CONNOR *testified further as follows* :

I forgot to tell you we were punished for very small things.

Q. When you use the expression "punishment," or "punished," you mean to say you are deprived of some privilege? You do not mean physical punishment? A. No.

Q. That is the mode of discipline, isn't it, Margaret? A. Yes, I know what it means, but I do not think it is right to punish us for such trifling things as they do here; for instance, last winter some of the young ladies brought up each a piece of bread from our breakfast to keep for dinner, because we knew we could not eat that which they had for dinner; I do not think we should have been punished for that.

Q. Do you go into the chapel every Sunday? A. Yes; we are obliged to.

Q. Do you go against your will? A. Yes.

Q. Have you ever objected to going? A. No, I have never complained of it; I go there because I am obliged to go; I know the Sunday before Washington's birthday, I did not go, probably because they kept me from my own church; I was punished for that; I was reported, and my pass taken off.

Q. Have you any conscientious objections to going? A. Yes, I have.

Q. Have you, Miss Dunn? A. No; I am a protestant.

Q. You are compelled to go too, are you not, Miss Dunn? A. Yes.

Q. What else, Margaret? A. When I went to Mr. Wait to get my pass, he made me promise that I would not stay out of church.

Q. Do you think they make any distinction between catholics and protestants—any partiality shown to either? A. My opinion is, they are partial to the protestants in the house—use them better than they do the catholics; I should not think it would make any difference to a protestant what denomination of the protestants he went to worship with, but with a Roman catholic it is strictly against his will to go to any other church than his own.

Q. What evidence have you that a distinction is made between catholics and protestants? A. It is indicated in the manner; they are nicer to the protestants—that is what I mean.

Q. What they give you to eat, and where they put you to sleep—there is no distinction made there, is there? A. No, not that I know of.

Q. You think that they speak more kindly to the protestants than to the catholics? A. Yes.

Q. The great complaint of partiality on the part of the pupils, is in regard to a boy by the name of Alfred Collins; the boys think they are partial to him, and he says he is a Roman catholic? A. There is a difference in Roman catholics; a person's calling himself one does not make him one.

ABEL TOMPKINS, JOHN GRAINEY, MICHAEL McNIEL and EDWARD LEROY sworn:

Q. Each of you boys finds fault with the food? A. Yes.

Q. What is the matter with the meat? A. It is tainted.

Q. How about your sleeping apartments? A. The bed is damp, and we always find some water around.

Q. Who told you to say that? A. No one told me.

Q. What is there good about the house? A. Not much of anything; the teachers are not punctual to their classes; when they are not punctual we have to wait for them, and sometimes we are blamed for that.

Q. Have you ever been punished, any of you? A. Some of us.

ABEL TOMPKINS complained particularly that he had been deprived of his piano time.

JOHN GRAINEY wanted a change of shop.

Q. Do you think since you have been here that the pupils have deserved punishment? A. All of them, no sir; some of them have been punished when then did not deserve it.

Q. Does any of you chew tobacco? A. No, sir.

LOUISA HAMMOND, re-called:

Q. Anything you want to say that you did not say the other day? A. Yes, sir.

Q. How have you been treated since you were before the committee the other day? A. I have been treated by the teachers and superintendent just as I was treated before, but I don't think I have been treated the same by some of the pupils.

Q. What have they done? A. A great many things have been said to hurt my feelings.

Q. By the pupils? A. Yes, sir.

Q. Because you came before the committee? A. Yes.

Q. Anything to say more than you said to us the other day? A. The bead work, we never had a regular teacher for that before, the pupils used to teach us, now we have a regular teacher.

Q. You think that is better, don't you? A. Yes.

Q. Have you any complaint to make against the superintendent, or the managers, or any of the teachers? A. No, sir.

Q. Anything in regard to your food? A. I think the food is just the same as it was.

Q. You have no complaint to make, have you? A. I think that our dressing room might be kept a little warmer; I think the dressing room has been a little cold.

Q. Any fault to find in regard to your towels and napkins? A. No, sir.

Q. You have one towel a week and a napkin, do you not? A. Yes, sir.

Q. Do you bathe once a week? A. Yes.

Q. Any fault to find with the bathing facilities? A. No.

Q. Have you any complaint at all to make? A. No.

Q. Do you want to tell anything to the committee, anything beside about the bead teachers? A. In regard to the singing, I think our teacher takes great pains, great pains is taken with cultivating the voice.

Q. You sing, do you not? A. Yes, a little; and the organ has been taught, we have had a teacher, Mr. Feople.

Q. Anything else you want to mention? A. No, sir.

MARGARET ROBERTS, sworn:

Q. How old are you? A. Sixteen.

Q. How long have you been in this institution? A. Seven years this summer.

Q. Where did you come from? A. New York.

Q. Do your parents live here now? A. They are now at Sing Sing.

Q. What complaint have you to make? A. I do not think we have very good victuals.

Q. What is the fault with them? A. The potatoes are not cooked well; the food is well enough, but it is not cooked as it should be.

Q. Any fault to find with the meat? A. Sometimes it is good and sometimes not.

Q. Is it good oftener than not good? A. No, sir.

Q. How about your sleeping apartments? A. I think they are good enough; I sleep well enough.

Q. Any complaint to make in regard to your teachers? A. I think they punish for the least little things.

Q. Can you see at all? A. Yes, with one eye.

Q. What teacher do you complain of particularly? A. They are all pretty cross; I do not like any of the teachers.

Q. Are you not pretty full of mischief? A. I do not think I am.

Q. Are you punished now just as much as you used to be? A. I don't know; if I happen to laugh in school, I am punished.

Q. Have you ever been punished in any way, physically, by any of the teachers? A. I sat down in the office.

Q. Any fault to find with the bathing facilities? A. No, sir.

Q. Are your teachers attentive to their classes? A. Yes, sir.

Q. Any other complaint to make? A. No, sir.

Q. You complain of your food, and that your teachers are cross and punish you for too trivial matters; and that is all? A. Yes, sir.

MADALINE STAMMINGER sworn :

Q. Where are you from, what county and what State? A. I am from the city of New York.

Q. What street and number? A. 58th street.

Q. What complaints have you to make, if any? A. I have to say the food is not good.

Q. In what respect? A. I think it is not cooked as it should be.

Q. The fish bad, and the meat? A. I never eat much meat, and never eat fish; I think the meat sometimes is tainted.

Q. Do you think there is any difference between your living and that of the teachers? A. I do.

Q. Any fault to find with your sleeping apartments? A. Yes; I sleep right next to the door, and I think it is very cold.

Q. Any fault to find with your bathing apartments? A. I have not.

Q. Any fault to find with your treatment by your teachers? A. Yes; last year I was troubled with my eyes, and last year I had to sit near a window; I got cold, and had operations—my left eye taken out; and after the operation, I had to sit there again.

Q. As a punishment? A. No.

Q. Did you object to sitting there? A. Yes.

Q. Did you tell them you thought it gave you cold? A. Yes.

Q. Did you attribute the necessity of your having your eye extracted to that? A. Yes.

Q. Any other complaint to make? A. I think we are not all treated alike.

Q. You think they treat other girls better than you? A. Yes, sir.

Q. And who are no more deserving than you? A. I think they are not.

Q. Can you give us any instance of partiality that made an impression on your mind? A. When my teachers have been asked to excuse me on account of my eyes they have not done it, and in other cases they have.

Q. Can you give any reason? A. No.

MARY DONNELLY sworn.

Q. You can see a little, can't you, Mary? A. Yes.

Q. Where are you from? A. New York, 338 east 16th street.

Q. How long have you been here? A. Three years, six months, and a few days over.

Q. Have you any complaint to make? A. Yes; the first is against the food, and that is entirely unfit to sustain the constitution of the pupils; as a general thing I think it is unfit.

Q. What is the defect? A. The defect is, we have nothing at all to depend on except the bread.

Q. Is the meat bad? A. Yes, and unfit to eat; it is often tainted, and it is so tough it would take a dog with pretty sharp teeth to eat it.

Q. Vegetables, how are they? A. The potatoes are unfit to eat; as for any other vegetables, the cabbage would be well enough if it was well cooked, but we have it as they would give it to pigs; it is parboiled, insufficiently cooked.

Q. Have you ever complained to the matron? A. No, because I did not think any satisfaction would be given; from their manner toward us, they all seem to be against the pupils.

Q. The teachers? A. I don't know about the teachers—the officers.

Q. Have you any complaint with regard to your sleeping apartments? A. No.

Q. With regard to bathing? A. No, sir.

Q. Are you taught cleanly habits? A. I don't know anything at all about the habits.

Q. Do they teach you cleanly habits? A. It is not one of the regulations.

Q. Any fault to find about your clothing, about the distribution of it? A. I think there is a great deal of partiality shown about the clothing; I have known girls in the house who have been kept in from church, because they did not have sufficient clothing to go out, while others would have clothing and extra things given to them.

Q. Did these extra things come from the officers of the institution, or from the friends of the pupils? A. From the officers of the institution.

Q. Have you any complaint to make about your clothing? A. No, nothing in particular about mine.

Q. Have you any complaint to make about your treatment—ever been physically punished? A. I have been kept in from going out for two weeks, I guess about three weeks altogether, and that simply for bringing up a piece of bread out of the dining room.

Q. Why did you bring up the bread? A. I knew what the dinner would be, and that I could not eat it.

Q. Don't you have as much bread at you want at dinner? A. The reason that I brought it up was that it had butter on, and would not have for dinner; we do not have butter for dinner, except on Fridays.

Q. Do you have cake, or puddings? A. We have what they call bread-pudding.

Q. Have you any fault to find with the bread-pudding? A. None in particular.

Q. How often do you have it? A. We sometimes have it on Fridays—no particular stated time.

Q. Do you ever have any apples, or other fruits? A. No, sir.

Q. Have you any marks of credit, or any rewards of merit, that are distributed among the pupils, for good behavior or progress in studies? A. No, sir, it is not done here.

Q. Any presents of books, or anything of the kind? A. At one time the singing teacher made us all presents of little books.

Q. Are you ever brought together to see who can spell the best in the school? A. No, sir.

Q. Are you often read to? A. Sometimes, through the kindness of some teacher, such as Mrs. Queale and Miss Wright.

Q. Have you any stated hour in the day or week, in which you have history read to you publicly? A. No, sir.

Q. In the morning you have the newspapers read? A. Yes, sir.

Q. That is the only public reading you have? A. Sometimes the readers come from the seminary.

Q. Sometimes people come in and volunteer to read, do they? A. Yes.

Q. Are you a sister of Sarah Donelly? A. Yes.

Q. Both blind? A. Yes, sir.

Q. Both born blind? A. No, sir.

Q. Are you both blind from the same cause? A. Yes, sir, from a cold.

Q. How near together were you taken blind? A. I should think within about six months of each other; first Sarah got blind in one eye, then I got blind in one eye.

Q. And then Sarah got blind in the other eye, and you got a defect in the other eye? A. Yes.

Q. Is Sarah entirely blind? A. No.

Q. Can you see about alike? A. Our sight varies.

Q. Have you been much together? A. Yes, a great deal; we have never been separated.

Q. When you are reciting in your classes, answering questions, does the teacher keep a list of debit and credit marks? A. No, sir.

Q. So that when you miss, there is no difference between that and when you answer correctly? A. The question is generally passed off to another to be answered.

Q. Do you go up head then? A. No.

Q. How is it with deportment and behavior—do they give you credit for good behavior? A. No, not that I know of; if there is any misbehavior, the pass is taken off; some of the younger pupils are kept in the office.

Q. How old were you when taken blind? A. I could not say exactly how old we were.

Q. How many years have you been blind? A. I could not say that.

Q. How long have you been here? A. Three years and six months.

Q. Anything else you want to say? A. I think Mr. Babcock an unfit man to be in this institution; he seems to have all the authority there is in the house in his hands, and he shows such partiality that it is pretty hard for us to stand it.

Q. He don't show any anger or temper, Mary? A. No, anger at all.

Q. You say you think there is partiality shown as a general thing; give us some instance? A. I will give you an instance; Mr. Collins, for example, is one of the pupils towards whom a great deal of partiality is shown.

Q. Any other pupil that you can mention, any lady pupil? A. I cannot think of any just now.

Q. Do you think Mr. Canfield, during recitation or study hours, pays more attention to the girls than to the boys? A. I am not in any of his classes.

Q. Do you think Mr. Babcock does? A. Those that he considers smarter he pays more attention to than to those he considers dull.

Q. Well, Mary, you are smart? A. Thank you.

Q. Does he pay attention to you? A. No.

Q. Are you pretty well advanced in the class? A. I am in the sub-senior class.

Q. Does he pay much attention to you? A. He pays as much attention to me as to the majority.

Q. Anything else to say? A. Yes, my piano time was taken away.

Q. When? A. Just this term.

Q. Who took it away? A. Mr. Wait.

Q. Did he give you any reason for it? A. No reason at all.

Q. Did you ask? A. No, because others did who were better players than I, and they got no satisfaction.

Q. Have you an ear for music, can you play a tune? A. Yes, I can play a tune.

Q. What tune? A. I don't feel much like answering that.

Q. Is it Yankee Doodle? A. I cannot play many tunes.

Q. Can you play and sing tunes, play the accompaniment and sing? A. Yes.

Q. Do you sing in the chapel? A. Yes.

Q. You want your piano time back? A. Yes, sir.

Q. Have you asked for it? A. No, I have not asked for it; the same pupils came and played before that professor, and he said they did not play well enough, and they began another course of instruction with the pupils they did keep on.

Q. Anything else to say, Mary? A. No, sir, that is all.

BRIDGET MORAN, *sworn*:

Q. How long have you been here? A. I will have been here three years the 25th of April, this month.

Q. Where do your parents reside? A. In this city.

Q. What street? A. Mother lives in Catherine street; I generally go to my grandmother's when I go home; she resides at 113 Mott street.

Q. Have you any complaints to make, and if so, state them?

A. Yes; the most of my complaints are against the food; generally, I think it is not fit for the pupils to eat.

Q. Is it as good as you used to get at home? A. No, sir, it is not at all like that.

Q. What fault is there with it? A. The meat, as has been stated before, is tainted sometimes.

Q. Is it often tainted, or seldom? A. Quite often, and it is not very well cooked either.

Q. Too much or too little? A. It is tasteless, and actually not fit to be eaten.

Q. You have soup one day, don't you? A. Yes.

Q. Is the soup meat served up the next day? A. I think it is for the stew, but that I never eat.

Q. Why don't you eat it? A. Because I cannot eat it—the meat has no taste.

Q. Taste as though it had been boiled? A. Boiled a long time; and the potatoes are bitter.

Q. Salt and pepper in your food? A. That depends on ourselves; we can have it if we wish.

Q. Anything in regard to your sleeping apartments? A. No, sir; I sleep in the lower dormitory, and that is not wet.

Q. Anything in regard to your bathing apartments? A. No, sir.

Q. Any fault to find with your teachers? A. I do not think Mr. Canfield is capable.

Q. Is he kind to you? A. Since I have been in his class, that is this term, he has never shown me anything, never paid the least attention to me.

Q. What class does he teach? A. The sub-junior; he teaches two hours—arithmetic and geography.

Q. And he has never shown you any? A. Nothing that I remember in the arithmetic class.

Q. Don't you recite? Don't he ask you questions? A. Very seldom he asks me a question.

Q. Don't he every day? A. No, sir; he don't come to me; he comes to the next girl, and passes me by.

Q. Have you ever asked him to help you? A. No, sir, I don't ask him; he asks me sometimes if I have my sum, and I tell him no, and he goes away.

Q. Are you not asked questions in arithmetic? A. Yes, he asks the class questions.

Q. Don't he ask you in the class? A. Once in a while he has done so, because we cypher every day, with the exception of Wednesday.

Q. Has he not asked you questions in your geography every day? A. No, sir, except when we go round the room.

Q. Do you respond individually or in concert? A. In concert.

Q. Does he ask the class individually, after having asked them to reply in concert? A. Sometimes he does if there is any particular pupil he chooses to call upon.

Q. Or any particular question he wishes to propound, is not that it? A. Yes, sir.

Q. And he asks a certain pupil a certain question, and never has asked you? A. Yes; very seldom any question.

Q. Any other complaint to make? A. Yes, about my piano time.

Q. Have you a taste for music? A. Yes, sir, a great taste.

Q. Did you advance when you used to study it? A. I do not think any of my teachers made any complaints of my not learning.

Q. Have you an ear for music? A. I think I have, a pretty good one.

Q. Can you tell one tune from another if you hear it? A. Oh, yes.

Q. Any other complaint to make? A. I think there is partiality shown in some cases. some particular young ladies when they are sick the matron shows them particular favors that she does not show the others; for my own part, I was very sick with the erysipelas—that was owing to the cold of the dressing room in winter; as a general thing we have no fire.

Q. Haven't you had a fire in the dressing room? A. Sometimes, but very seldom, generally during school hours we have it.

Q. There is a very general complaint among you girls about the piano time being taken away: why was it taken away from you? A. I do not know.

Q. What girls are allowed their piano time now? A. Louisa Hammond, and quite a number.

Q. Any other complaint to make, Bridget? A. No, sir, not that I can think of.

CATHARINE HANMER, sworn :

Q. How long have you been here? A. Five years the 5th of next December.

Q. Where did you come from? A. Syracuse, Onondaga Co.

Q. What complaint have you to make? Is your food good? A. It is bad; I make the same complaint as the others.

Q. Have you any complaint to make in regard to your teachers and the officers of the institution? A. Yes, sir.

Q. You have heard the testimony of Mary Donnelly and Bridget Moran; have they stated the facts as they are, so far as you know? A. As far as I know they have.

Q. Have you anything to add to the testimony? A. Yes, my treatment by Mr. Babcock.

Q. How long ago? A. I cannot state any particular time; it is all the time; it is his treatment generally to me that I am speaking of; I have no particular case to mention; his manner is unkind to me, disrespectful, and the manner that he calls me is hurtful to my feelings.

Q. How does he call? A. He calls as cross as he can—different from what he calls the other pupils in the class; and he never seems to pay any attention to me in the class; in his map class he never pays any attention at all to me till lately.

Q. How lately? A. About since you were here before.

Q. Does he ever take hold of you? A. No; but he has often hurt my feelings so in the class that I have had to cry and leave his room; his manner is harsh.

Q. You do not learn very easy, do you Margaret? A. I guess that I learn as easy as the majority of the class that I am in.

Q. There is no reason that he should treat you in this way? A. No reason that I can see.

Q. Does he speak to the other girls harshly? A. To some of them, and some of them not; he is very overbearing in his manner to those that he does not take a particular liking to.

Q. Do you think that the tempers of blind persons are a little more irritable than those of other people? would you prefer a seeing teacher or a blind teacher? A. I would prefer a blind teacher if he would treat me kindly.

Q. Do you think that a blind teacher is just as competent as a seeing teacher? A. Yes, sir.

Q. Do you think Mr. Babcock, so far as education is concerned, is competent to perform his duties here? A. He teaches me two hours, and I think he is competent in those studies—arithmetic and geography; these are the only studies that he teaches—or geometry; he teaches that.

Q. Any other complaint to make? A. Yes; my piano time has been taken away, and we do not have the privileges that we ought to have; the assistant matron has the piano time.

Q. Anything else? A. Yes; the punishment of the children—the pupils in general; some of the pupils I have noticed have been kept in from church, and imposed upon more than the larger ones; we are compelled to go to service in the chapel; I am a Roman Catholic, and we are all compelled to go; I think there is partiality shown; those that have friends seem to have more attention paid to them than others; our education is incomplete; our piano time was the only thing that we could depend on.

ELIZABETH DAY, MARY JANE KELLY, ANN DIXON, EDITH DOMBEY, SARAH J. MAGATHON, ELLEN FLYNN, MARY NOLAN and SARAHETTE SLOANE being duly sworn, testified as follows, generally answering in concert:

Q. Did you girls hear the testimony of Mary Donnelly and Bridget Moran? A. Yes, sir.

Q. Do you coincide with it? A. Yes, sir.

Q. Elizabeth Day, where are you from? A. Williamsburgh, 151 Ainsley street.

Q. How long have you been here? A. Seven years next September.

Q. Mary Jane Kelly, where are you from? A. 50 12th street, New York.

Q. How long have you been here? A. Seven years.

Q. Ann Dixon, how long have you been here? A. Four years in June.

Q. Where did you come from? A. 261 Stanton st., New York.

Q. Edith Dombey, how long have you been here? A. Two years the 29th of April.

Q. Where are you from? A. Cornwall, Orange county.

Q. Sarah Jane Magathon, how long have you been here? A. A very short time—two months.

Q. Where do your folks live? A. Chatham Four Corners.

Q. Ellen Flynn, how long have you been here? A. Three years next month.

Q. Where did you come from? A. New York; the street and number I have forgotten; it is down town.

Q. Mary Nolan, how long have you been here? A. One year next month.

Q. Where are you from? A. No. 181, Avenue A.

Q. Can you see some? A. Yes.

Q. Sarah Sloan, how long have you been here? A. Three years the 1st of December last.

Q. Where did you come from? A. Fort Ann, Washington county.

The following pupils being in the room were questioned briefly: ANN MOORE said she was from 206 Pearl street, New York; MARIA McKIMERLY from Williamsburg; SOPHIA TAFT said she had been in the institution nearly two years, her former residence, Dansville, Livingston county.

ANN ACKELSY said she was from Brooklyn, did not know how old she was, her mother died when she was very young.

MARGARET STONER had been in the institution five years in September; she came from Tarrytown.

EMMA BRENNAN, from New York; had been in the institution seven years; could see a little; complained that the food was bad.

CECELIA COLLINS had been an inmate two years the 22d of

April, inst., was from New York; confirmed what Miss Donnelly testified to in regard to the food.

ROSANNA MCPARTLIN had been an inmate two years; was from New York; confirmed the statement of Miss Donnelly; spoke from her own judgment, and not because anybody told her to say so.

CAROLINE WASHBURN, from Brooklyn, had been an inmate five years.

LAURA SMITH, of New York, had been in the institution for five years; she heard the statement of Miss Donnelly read from the reporter's notes, and pronounced it correct.

VIRGINIA FINNEGAN, from New York, had attended a year; had heard the testimony of Miss Donnelly read, and said it was correct.

MARY LOUISA CRANER was from Jersey city; had been in the institution four years, and confirmed the statement of Miss Donnelly.

KATE McDOWELL had been an inmate nine years the 16th of May; was from Aurora, Cayuga county; heard the testimony of Miss Donnelly, and declared it to be correct.

JUANA HAGADORN will have been an inmate three years the 15th of September; the statement of Miss Donnelly in regard to the food was correct; she declared it to be so from her own personal knowledge; her eyesight had been improved, she had had seven operations performed.

LIZZIE HOSIER was only nine years old; she could not see any, she lost her eyesight from a boy's throwing a stone and hitting her head; she had the same complaint to make in regard to the food, it was bad; the meat and vegetables did not taste good; the fish and other things sometimes smelled bad.

IANTHE CARROLL, of Flushing, Long Island, came the 17th of last September; she had heard the statement of Miss Donnelly, in regard to the food, read, and pronounced it correct; the meat was often bad, and the food not half cooked.

AGNES KILMER, of Albany, had been in the asylum for three years, and said the statement of Miss Donnelly was correct.

JENETTE GREEN, of Potter, Yates county, had been in the institution six years; she considered the food sometimes extra bad; it was generally so: her piano time had not been taken away from her.

ANN ACKELSY never eats meat, and is not capable, she says, of judging whether the statement respecting the meat be correct or not.

JOHN CONNELLY, *sworn*:

Q. Have you any complaint to make? A. Yes.

Q. Were you not in the dining room when we were down there to-day? A. Yes, but I did not want to stand up, when you asked us to, in all the crowd there.

Q. What is your complaint? A. The food is not fit to be eaten, the beds are damp generally, the cleanliness of the pupils is not attended to, the butter is bad; I have not eaten butter since Thanksgiving.

GEORGE WILLIS, JOHN H. ROACH, JAMES ASHTON, WALTER TURNER and EDWARD SONCI confirmed what Mr. Connelly, the last witness, said respecting the food.

EDWARD SONCI said he had graduated; the managers had passed his bill; he applied for it yesterday; did not know whether he was going to get it or not; he wanted to go, and could not do so without his money; he wanted the committee to see about it; he lived at Weedsport, Cayuga county.

Nearly all the managers of the institution being in the room below, they were sent for by the committee. Mr. STRONG, of the committee, laid before them briefly the state of affairs which the investigation thus far seemed to indicate as existing. He stated the number of witnesses that had been examined, set forth to the managers the purport of it, told them of the dissatisfaction that existed among the pupils, and mentioned some of the more prominent facts which had been elicited. Several members of the Board of Managers made such verbal explanations as suggested themselves. Mr. Tuckerman read from the record of proceedings of the Board of Managers, of a meeting which they had held on the third of February, 1864, at which some of the disagreements between the teachers and the officers of the institution, and the pupils, had been considered. This having been done, and Mr. Hutchins having suggested the examination of those connected with the institution as officers, teachers, and servants, and especially the physicians, the examination of inmates was resumed, a number of the managers remaining.

EDWARD SONCI was recalled, and testified further, as follows:

Q. You are a graduate, are you not? A. Yes, sir.

Q. When did you have your account passed? A. I believe it was examined last Wednesday; I was told by Mr. Ambler that it was passed.

Q. How much is coming to you? A. There was then \$13.48, and I have made fourteen cents since, which Mr. Wait told me he would see that I got.

Q. Are you waiting for your money before you leave? A. Yes, sir.

Q. That is the only thing that detains you? A. Yes.

Q. Have you applied for the money? A. Mr. Ambler put me off yesterday afternoon till to-day; it had been promised yesterday afternoon.

Q. Has he assigned any reason? A. No, I did not ask him any.

Q. Is there any dispute between you and him as to your account? A. No, sir, there is no dispute, as I have kept my account myself.

Q. He concedes that there are \$13.48 due you? A. Yes.

Q. You desire to go home? A. No, sir.

Q. You desire to leave the institution? A. Yes, sir; Mr. Ambler told me it had passed, and I believe it had been passed.

Mr. HUTCHINS, of the Board of Managers, being asked by Mr. Strong, of the committee, answered, that the financial relations of the institution were shown in the last financial report, which was in the hands of the printer, and would probably be ready the ensuing Monday.

SEWALL V. DODGE sworn :

Q. What is your business? A. Butcher.

Q. Where is your place of business? A. 238 Bleecker street.

Q. What is the firm name? A. *Dodge & Varian*.

Q. How long have you been in the business? A. About thirty years.

Q. Do you supply this institution with their meat? A. Yes, sir.

Q. What portion of their meat do you supply? A. Beef, mutton and pork, partially.

Q. With about how many pounds of beef a week do you supply them? A. About a thousand, I think.

Q. How is the meat divided, what proportion of mutton, beef and pork? A. Say a side of beef and one sheep—that is twice a week.

Q. A thousand pounds of meat, you mean? A. Yes, all together.

Q. Will you tell us the character of the meat you supply? A. With regard to quality it is the very best.

Q. How is it with your corned beef? A. It is the same quality of beef.

Q. You corn the beef yourself? A. Yes, sir.

Q. To your knowledge, have you ever furnished the institution with any meat that was not the first quality? A. No, sir.

Q. Any beef in bad condition—tainted? A. Not the first pound.

Q. Do you supply it by contract? A. We did for a number of years, but we have been here so long that they let us make out our bills according to the cost of the beef.

Q. Do you make out your bill according to cost and charge a proper percentage? A. A small percentage for our trouble; we do not expect to make much money out of the institution.

Q. You furnish the institution cheaper than you sell to your other customers? A. Yes, sir,—that is, our retail customers.

Q. Do you furnish this institution at a less price than you sell to your wholesale customers? A. Yes, we put everything at the lowest price, at cost, and a little advance to pay for the trouble.

Q. Have you ever had any complaint from the superintendent or any one else with regard to the meat you furnish? A. Not

to my knowledge for many years, for I think there never was any cause for complaint.

Q. Have you ever conversed with any of the pupils with regard to the meat furnished? A. No, sir.

Q. Are you often in the institution? A. No, sir, not very often; I come up to collect bills once in a while, that is all; but, sir, there is not an institution of any kind in this city that receives a better quality of meat than the institution for the blind.

Q. Do you speak from your opinion or from personal knowledge? A. Knowledge.

Q. You have furnished the meat for other institutions? A. Yes, we have furnished the meat for the lunatic asylum for many years, and other institutions.

Q. Do you still furnish it? A. No.

Q. Have you ever had a complaint from the lunatic asylum? A. No, sir, there were little trifling causes of complaint, but not about the quality of the meat.

Q. Are you sure that you furnish mutton every week? A. Yes, sir, every week invariably.

Q. How? A. Generally we send a side of beef and a sheep.

Q. On what days do you send the side of beef? A. We send it twice a week; I think it is Thursday and Friday afternoon.

Q. What day do you send the mutton? A. The same day.

Q. Do you send the corned beef the same day? A. We send it on Wednesday mornings.

Q. The soup meat and everything is taken out of the side of meat? A. The whole side is sent together; the institution take the soup meat out of this side; it is cut up into soup meat, roasting pieces and steaks.

Q. Do you furnish any pork? A. Very seldom; once in a while we send a little corned pork with the beef; I believe the physician thought it was not wholesome to eat the pork, and so we omitted that; there may be ten or fifteen pounds sent among the corned beef—not more than that ever.

Q. You send them a good quality of pork? A. Yes, sir, the same that we retail to our customers.

Q. Do you furnish them with fish, either salt or fresh? A. No, sir.

Q. Nor with the vegetables? A. No, sir.

Q. How do you deliver this meat? In what quantities? A. We send a thousand pounds a week, divided into two parts—part in the middle of the week, and part in the latter part of the week.

Q. Where do you deliver it? A. In the meat room at the institution; we take it into the room ourselves.

Q. With whom did you make the contract? with the superintendent? A. It is so long since we made any arrangement, I do not know as we can get at that; I cannot tell you how many

years it is since I made any arrangement, but it was through the superintendent in the first place that the arrangement was made.

Q. Do you deliver the meat in summer the same as in winter?

A. No, sir; in the summer we deliver it according to the amount required; we send it every other day to prevent its spoiling; we send it while it is fresh; we send it in quantities to suit.

Q. In summer, when you send it in quantities to suit, do you send it in quantities or parts—the different parts in proportion to the whole? A. Yes; so much coarse meat, so much prime beef, in proportion to the quantity we send.

Q. Do you allow any commission or profit or advantage on the meat that you sell to the institution? A. No, sir, never did since I was in the business allow any man the first sixpence—never paid a man for his good feeling toward us, and never made a reduction of this kind.

Q. How long have you furnished this institution? A. I think altogether about 18 years—between 18 and 20 years.

Q. Do you send pork once a week? A. When we send corned beef, perhaps we put in two or three pieces of pork that would weigh 15 pounds, more or less; that happens about once a week.

Q. And that pork has been in perfect condition? A. Yes, sir, certainly, the very best quality of everything.

STEPHEN BABCOCK sworn:

Q. Are you a teacher here, Mr. Babcock? A. I am.

Q. How long have you been a teacher? A. I think about 9 years.

Q. Are you a graduate of this institution—taught in it? A. I presume I am considered a graduate; I passed through the term of pupillage.

Q. Previous to being a teacher? A. No, sir; I was a teacher a great part of the time, though I was considered a pupil.

Q. And that is a part of the 9 years? A. Yes, sir.

Q. What branches of education do you teach? A. In the literary department.

Q. What composes the literary department? A. It is made up of history, geography, grammar, arithmetic, astronomy, philosophy, and all the studies; I could give you a list of 20 or 30 of them, but I do not teach all of these.

Q. What branches are you now teaching? A. Geometry, algebra, writing, arithmetic, oral arithmetic, and geography.

Q. What is your mode of teaching? A. Orally, entirely.

Q. Do you require individual responses, or responses by the class? A. Both.

Q. And do you go every day through your class, after you have had general responses, and put individual questions and receive individual responses from each one? A. We do not always put individual questions to our classes each day, but we intend to go round and be sure that every scholar understands the lesson;

we have no positive rule that each pupil shall answer, but spend the greater part of the time with those who are most deficient.

Q. Do you have any competition in the classes? for instance, you put a question and when one does not answer it and the other does, do you advance him for his proficiency? In other words, do you have any head and foot to your class? A. No, sir, we do not; the only reward is the satisfaction that the pupil has of knowing his own grade, and knowing that the teacher knows it.

Q. What opportunity has the pupil of knowing his own grade?

A. Only from his own intelligence.

Q. Do you keep any credit marks what are called merit marks—any record? A. We keep our daily record.

Q. The standing of the pupil is a general estimate of the capacity and the conduct of the pupil during the term, is it not?

A. Yes, sir.

Q. Do you know Alfred Barnham? A. I do.

Q. How long has he been in the institution? A. I should think some six or seven years.

Q. Have you ever had occasion to punish him? A. I have.

Q. How long ago? A. I should think probably some five years ago, I cannot recollect particularly.

Q. Do you remember the cause? A. I do not.

Q. Do you remember the character of the punishment? A. I do.

Q. Will you have the kindness to tell the committee how it was? A. I took him across my knee and spanked him with my open hand.

Q. Did you ask him to unbutton and pull down his pantaloons?

A. I cannot say—I think likely.

Q. Did you, or did you not, unbutton and pull down his pantaloons and put him across your knee and slap him on his bare bottom with your flat hand? A. It was so long ago that I cannot remember.

Q. Is it, or is it not true, that you unbuttoned his pantaloons and put him over your knee and spanked him? A. Now, sir, I cannot testify whether it is positively true.

Q. Is it false? A. I cannot say that it is false, sir.

Q. Since you have been a teacher in this institution have you done such a thing as that? A. I have, and perhaps I did it with him; allow me to explain; at that time Mr. Cooper was superintendent of the institution; I occupied the position that I now have; pupils were reported to him, and he referred them to me with directions what the punishment should be; the pupils, a number of them I punished with my hand in the manner prescribed, knowing that the institution was open to criticism and misrepresentation—for we had often been misrepresented there—I never punished a boy or a child in any way without having a

witness present, a seeing person; understand, sir, I did it all under the direction of the superintendent then.

Q. Do you wish to inform the committee that Mr. Cooper directed you to unbutton the boy's pantaloons and to pull them down and spank him on his bare person over your knee? Do you pretend to say that he directed the form of punishment?

A. I cannot say that he did.

Q. Was Mr. Wait present at the time you punished this boy?

A. I think so, sir; I punished a number of boys about that time; he was present when some of them were punished; I cannot say positively whether he was at this one.

Q. Have you punished any pupils within the past two years?

A. Corporeally? No, sir, and I think not in the past four years.

Q. Have you ever bathed your dog in the bath-tub with the pupils? A. No, sir; in the first place I never had a dog; there was a Newfoundland pup about the house sometime ago that the pupils had been in the habit of playing with; one day when the boys had finished bathing, as I supposed, I took the dog into the bath-room to let him play in the water a little while after they had finished; I found they had all finished but a few; the boys that were in they asked me to let the dog come in, they wanted to play with him; I objected, but at last let him go; I tried to get them to come out, but they wanted to let the dog come; the tub is probably nearly as long as this room and I think half as wide, will probably hold twenty hogheads.

Q. Did that happen more than once? A. No, sir.

Q. Do you know Margaret O'Connor? A. I do.

Q. Have you ever had occasion to punish her? A. Corporeally?

Q. Any way? A. I do not recollect sir; I presume I have removed her pass from the cylinder; I have done that for a very great many.

Q. Do you remember of taking hold of her at any time and standing her up on the floor by physical force in the class room? A. I do.

Q. Will you explain to the committee the reason of it? A. I was at that time the principal teacher; I went into Miss Babcock's school room, she was then a teacher here; went into her room, and she asked Margaret O'Connor to stand, and she refused, and she asked her a number of times, and she told her that she would not; I then took the girl by the arm and led her to the floor from the seat; I asked her before that, and she defied all entreaties, and I laid my hand on her arm and led her to the floor.

Q. That was two or three years ago? A. That was during Mr. Cooper's superintendence; he left here about three years ago; it was some time before he left.

Q. As to disposition and application to studies, how does Margaret O'Connor stand? A. She is very dull considering her advantages.

Q. Do you during class or study hours bestow as much attention upon her as you do upon others? A. I do, and I think more than upon the average of my class; I show more, because she needs more.

Q. Mr. Babcock, have you anything to do with the depriving of pupils of what they call the music hour, their piano time? A. I have nothing to do with it.

Q. It is entirely under the superintendent's control? A. It is in the hands of the musical director; the superintendent is over us all, but the music department is particularly in the hands of the musical director.

Q. Are you deputy-superintendent? A. Yes, I act as deputy-superintendent, but there is no such officer in the house, according to the regulations.

Q. You are assistant to Mr. Wait? A. I am.

Q. His brother-in-law? A. Yes, sir, he married my sister last fall; you did not ask me how long I have been in the house; I have been in the house about 11 years, but as a teacher about 9 years.

Q. Do you think that the pupils are taught in all the branches that are necessary for them? A. They are taught in all they can be, that is, we make a selection; we can have the pupils but 7 years, and we commence with them and carry them as far as we can; we have to make selections in studies to put them into the best ones for them for the 7 years.

Q. In your teaching, in the discharge of your duties, do you exhibit, or have you exhibited partiality, or extended it to one scholar over another? A. Never intentionally.

Q. Have you ever had any complaint from the pupils with regard to your treatment of them? A. I have no recollection of any, sir.

Q. You have the right to excuse pupils, have you not—for instance, if they ask to be excused from any lesson? A. Under the direction of the superintendent.

Q. Or if they desire to go out? A. I never exercise it without first advising him; I ascertain his views, and receive my direction from him.

Q. Do you know Mary Jane Dunn? A. I do.

Q. What is her disposition and standing as a pupil? A. In her classes, she stands with the average.

Q. How is her disposition? A. Her disposition is a very troublesome one to deal with.

Q. Do you remember the circumstance of her punishment previous to February 22d? A. I do.

Q. What did she do—I mean the time she was kept so long in the office? A. In my class the matter commenced; she refused to answer the question; I put the question a number of times; finally she did respond, that is, she made slight efforts, but not

loud enough to be heard; I asked her to repeat it louder, and she would not, and showed indignation in the class.

Q. Indignation or insubordination? A. Insubordination; and I told her that she could be excused from the class; she might go to the office; she went to the office; I afterwards went down and spoke with her and asked her if she did not think she did wrong taking the course she did, and she said, sharply, No; and all attempts on my part to obtain from her any concessions of doing wrong failed; I told her that I could not excuse her, under the circumstances; asked her if she wanted her dinner, and she said no; I told her very well, I could not excuse her; then, in the afternoon, I tried again with the same result as in the morning.

Q. How long was she kept in the office for this violation of the rules? A. Perhaps I had better go on stating; she failed to come to terms that day, and the next morning I sent for her to come to the office again, and she still had the spirit of insubordination; I referred her to Mr. Wait, and she talked to him very impertinently indeed, and he kept her in the office—that is, she had the privilege of going to her meals the same as the others, and attending to the exercises of the day, yet she was expected to abstain from business and use the office as her studying room, and there she was kept in that way, with no signs of concession on her part at all; I think it was nearly a week—I cannot tell you, sir, the number of days.

Q. Was it not two or three weeks? A. My impression is that it was not.

Q. Could you not tell; don't you keep any record of your class, and could you not tell when she returned? A. I know when she returned to her class; it was the following month after this committee visited the institution.

Q. Did you keep a record of the fact? A. No, sir, she was not in my hands, or not considered so; she was left to Mr. Wait, and then my duty with her was ended.

Q. Did she belong to a class you taught? A. She did belong to one that I taught.

Q. Can you tell by the record that you keep when she left the class and when she returned to it? A. For a temporary absence there might be no record of it.

Q. Suppose that pupils stay away nearly three weeks—is that called a temporary absence? A. Yes, but I have never known an instance, since I have been in the house, of anyone being kept as long as that.

Q. Do you keep a record of your dealings with your pupils, for disobedience, etc.? A. No, sir; we have no punishment except this.

Q. As to your system of punishment, let me ask you, do you consider it a beneficial one; as I understand it, your system of punishment is, if anyone violates any rule, you send him to stand in the office—you don't allow him to go to their church, or to go

out; do you consider this a proper system of punishment for the violation of rules? A. It is one of the best we could devise—that is, I think it could be improved, but under the circumstances, I think it the best we could devise.

Q. Don't you think that a system of rewards would be more advantageous? A. A system of rewards might have a very damaging effect, from the fact that it would create jealousies and bickerings among the pupils—that is, I have known it to do so.

Q. Would it be more likely to create it among blind people than seeing people? A. I believe the blind are more censorious than the seeing; that is my personal experience; I am blind myself.

Q. Are you more censorious now than you were when you could see? A. No, sir.

Q. I suppose you would be like other blind people, would you not? A. If I had been so from my infancy, and petted by my parents, I might have been; I think the cause of it is, that blind children are more pampered at home than seeing ones; the result is, they demand more than seeing ones.

Q. Those who are not born blind, but lose their sight at the age of 12 and 14, would be no more censorious than yourself? A. Not necessarily.

Q. Do you want the committee to understand that it is your judgment that a system of punishment which takes the pupil from his studies for a day or a week, and also deprives him of going to church on Sunday, is a beneficial system of punishment? A. We have no such rule, sir; our rule is, church in the institution on Sunday, at which time all the pupils are expected to be present.

Q. Is it an indulgence to allow the pupils to go out in the morning to their various churches—the Catholic to his church, and the Presbyterian, and so on, to his? A. Yes, sir.

Q. Keeping them in Sunday from their church, do you consider that a beneficial system? A. We don't keep them in, sir, as a punishment.

Q. Take Miss Dunn during the three weeks—it was nearly three weeks that she was in the office—did she go out to church these two Sundays that she was in the office? A. No, sir; not out of the house.

Q. Was she requested to go to chapel during that time? A. I do not think she was particularly requested, because we are not in the habit of particularly requesting them, but the house rules provide for their attendance at chapel, and if they stay out, they do it in violation of the rules.

Q. Your rule provides that they shall go down to class regularly, and that they shall behave themselves in the class? A. Yes, sir.

Q. And for the violation of that rule, they are sent down to

the office, and there instructed to remain until they are forgiven, or have expiated their offence; that is an order, is it not, and they are bound to obey it? A. They are expected to, but it is not possible to take it in its literal meaning; we certainly could not expect a pupil to remain there without leaving the office.

Q. Was she thus informed in this case? A. I think she must have been.

Q. The fact is, she remained in the office all day Sunday; I ask you whether she was bidden or requested to go to chapel on these two Sundays? A. I think not.

Q. Then, of course, she obeyed her order to remain in the office till she was allowed to leave? A. I do not think she did; if she had stayed there all night, she would have disobeyed her orders.

Q. Is it usual to keep them in the office all night? A. Never, neither is it usual to keep them from church on Sunday.

Q. But in this case, you didn't instruct her or inform her that she might go to church; is it usual for you to keep pupils in the office on Sundays? A. No, sir, not usual; seldom the case.

Q. Mr. Babcock, have you ever sent pupils to bed without their supper? A. I have.

Q. Often? A. No, sir.

Q. Have you ever confined pupils in what is known as the dungeon? A. I have.

Q. Often? A. No, sir; I do not know but there may be one point in this testimony that would appear rather strange without an explanation; I, as principal teacher, have to take reports from the teachers, of their classes, and I am frequently instructed by the Superintendent, when reports come to him, to do certain things; as I told you with regard to these boys, it was done wholly under the direction of the Superintendent; so with regard to locking the pupils up; my orders have been to lock no pupil up without express orders from the Superintendent; these I have obeyed implicitly.

Q. Have you ever confined pupils in what is called the dungeon, in accordance with orders received? A. Yes.

Q. Have you ever kept pupils in the dungeon or have they ever been kept, to your knowledge, through the night? A. I have never known a case of their being thus kept.

Q. Have you ever heard of it? A. no sir, never heard of it, and don't believe it has ever occurred.

Q. You know Mr. Canfield? A. I do.

Q. How long has he been in the institution? A. I think about seven or eight years.

Q. Have you had such relationship with him as to enable you to judge of his capacity as a teacher? A. I have.

Q. What is your opinion of his capacity as a teacher? A. I think him very capable of teaching the studies he is assigned to.

Q. He teaches the inferior classes, does he not? A. The younger pupils; a very earnest faithful teacher.

Q. A blind man, is he not? A. Yes.

Q. Has been a pupil of the institution, has he not? A. Yes, sir.

Q. Have you ever compelled boys to read to you during the time that they were entitled to be in the shop or in their class rooms? A. Never; I have requested them to do it, and have paid them for it, but never compelled them to do it.

Q. How long have you been blind, Mr. Babcock? A. I have been blind about twelve years.

Q. How old are you? A. I am thirty-one.

Q. Were you blind at nineteen? A. Yes.

Q. Where were you educated? A. I had a fair education before I was taken blind, which I obtained in Rhode Island.

Q. At what institute? A. At the public schools.

Q. How far had you progressed in arithmetic before you were blind? A. I had completed the arithmetic.

Q. Had you gone into algebra? A. But little.

Q. Grammar and geography? A. Yes, sir.

Q. History? A. Yes.

Q. Natural philosophy? Yes.

Q. Chemistry at all? A. Yes, sir.

Q. How far in chemistry? A. I had studied it only one short term.

Q. Did you study languages at all? A. No, sir.

Q. When you came here you were blind? I was.

Q. Were you required, or did you find it necessary, to re-educate yourself after you got here? A. Not to re-educate; I continued my education.

Q. Is not the education of the blind different from that of persons who can see? A. The result obtained is the same; the manner of obtaining it is different.

Q. How long did it take you to master the manner of obtaining it? A. I cannot state that.

Q. How long had you been in the institution before you became a teacher? A. I think I taught the second year that I was here.

Q. Then you have taught nine years here? A. About that.

Q. You said that the musical director was the one who determined who should have music lessons. How can the musical director, or teacher of music, determine who is entitled to take music lessons? A. From noticing the capabilities of the pupils, and the reports of the teachers in his department.

Q. Then it does not depend upon the musical director alone? A. No teacher alone discharges a pupil from the piano.

Q. It is determined who shall take lessons on the recommendations of the teachers? A. Not from teachers of other than musical classes; we calculate that every pupil having the ability to learn, shall have an opportunity to learn music.

Q. Who determines as to that? A. The superintendent and music director.

Q. And who discharges them? A. The musical director, if he thinks they are not proficient enough.

Q. All the girls like to study music, don't they? A. Not all, most of them.

Q. Can you explain why it is that some of them have been deprived of their privilege recently? A. Because the musical director thought that their time could not be profitably spent in that way, considering their capacity and ability.

Q. He discharged them? A. Yea, sir.

Q. Does he do with the boys the same as the girls, with reference to music? A. Yes, sir.

Q. What professor have you now? A. Mr. Theodore Thomas, who is the director of the English opera.

Q. How long have you had him here? A. Since last fall; the first of September, I think he came.

Q. What is the punishment that is inflicted for not attending the chapel on Sundays? A. The pupil's pass is taken off.

Q. Is that the only punishment? A. I do not know that that is the only one.

Q. Do you always punish a pupil for not attending chapel? A. Sometimes we admonish them; we never punish when we think an admonition will answer.

Q. Do you use tobacco in any shape? A. Not in the least and never did.

Q. Can you tell us the difference as to sensitiveness and as to disposition, between the blind and the seeing; you are familiar with both; you stated that you thought they were more censorious; are there any other peculiarities that the blind have which now come to your mind; are they more generous, or affectionate, or suspicious, or grateful? A. No, sir, by nature I think them no different from other people, but by early education, in many instances somewhat different.

Q. Are you able to tell whether the persons who have charge of the shops are competent or incompetent? A. I am not able to judge of that; my testimony would be only from hearsay.

Q. Have at any time any complaints been made to you, as a teacher in the institution, by the pupils, in regard to their food or treatment? A. I have no recollection of but one in regard to their food, and that I referred to the superintendent; that was the case of John Westervelt; I referred him directly to the superintendent and asked if there were any others who had any complaints to make,—if there were, now was their time; I proposed to them to go to the superintendent.

Q. As to their treatment, have you had any complaints? A. No, sir.

Q. Where do you take your meals? A. In the large dining room with the pupils.

Q Do you know the character of the food that the pupils receive? A. I know only from hearsay.

Q. You do not know from taste? A. I always have my own seat and take my food from that seat.

Q. At the table with the teachers? A. Yes.

Q. Wont you give us a diet for one week,—the different meals? A. I cannot do it; I might be able to think it up for you.

Q. What did you have for dinner? A. Roast beef and potatoes.

Q. What did you have for breakfast? A. I took nothing.

Q. For dinner yesterday? A. Fish and potatoes.

Q. Did you have ham and eggs yesterday? A. We did.

Q. Then you did not have fish and potatoes? A. Yes, and ham and eggs besides.

Q. Did you have any dessert yesterday? A. I do not recollect.

Q. Did you have any to day? A. Yes, rice.

Q. Rice and molasses, or plain rice? A. It was rice; I think it was sweetened.

Q. Rice pudding, was'nt it? A. I don't know whether it was boiled rice with sweetning on, or rice pudding; I think it was rice pudding, yet I would not take my oath on that.

Q. Do you know whether the pupils yesterday had fish and potatoes and ham and eggs? A. I do not, sir.

Q. Do you know, or do you not know, whether you have the same food that the pupils have? A. As I told you before, I know nothing positive of their food; I never taste of their food or any food except that at my own seat.

Q. Were you consulted in preparing the rules of government for the institution, by Mr. Wait? A. Not particularly.

Q. Have you been consulted by him with regard to the diet of the institution? A. I do not think I have been.

Q. You do not know anything about that, do you? A. I cannot give the diet of the pupils table.

Q. What were the children locked up in the dining-room the first day we came here for? A. I was not there; I can give you all the hearsay testimony you wish; I was not in the house at the time.

Q. Don't you know? A. I know what I have heard; I have heard they were locked only to prevent the violation of a rule; the pupils all know of the rule—it has existed for more than twenty years, I think—that the pupils shall not leave the dining-room, after a meal, until a bell that we call a dismissal bell has been rung; the pupils were leaving the dining-room before the bell had rung, and the matron, to prevent their leaving, turned the key until the bell should be rung, which was several minutes.

Q. Did she ever do that before? A. The dining-room is locked occasionally; I do not know whether she has locked it for that purpose before or not.

Q. Is it usually locked during the dining hour? A. It is at breakfast, but not now.

Q. Is not that to know who gets up late? A. That is to prevent interruption—we have reading—and also to see who are there.

Q. Do you use the ordinary water-closet out in the yard where the scholars go? A. I do not.

Q. You have one for the teachers? A. One that is used by the managers, teachers and male attendants of the house.

Q. Is the sense of smell more acute in a blind person than in a seeing person? A. I do not find mine at all improved; blindness has not affected my sense of smell.

Q. Do you ever have mutton on your table? A. Yes, sir.

Q. How often? A. I think once or twice a week.

Q. Tuesdays do you have a stew for dinner? A. Yes.

Q. Beef stew, or mutton stew? A. Yes.

Q. Can you tell us whether that stew is made out of the soup meat, or different meat? A. No, sir.

Q. Do you have soup on Mondays? A. Yes, sir.

Q. Do you find anything objectionable in the stews you eat? A. No.

Q. Do you know Michael McNiel? A. I do, sir.

Q. Do you know anything about a letter of his, having money in it, being opened? A. No, sir; when this report came out about the institution—when it was in *The Express* the other night, the petition sent to the legislature—I was greatly surprised to hear of any such thing; and from inquiries, I heard of the pupils being locked up on the day you were here.

Q. Have you any explanation that you desire to make to the committee—any facts you desire to communicate? A. Well, sir, I understand from the pupils that objections have been made to the manner in which I conduct my classes in the school-room,—serious objections, and if so, I wish to have an opportunity to present pupils of mine who have been long in my classes, to prove whether my manner has been so or not; I would like to present the names of ten or a dozen whom I would like to have called to testify on that point: Mary Moore, she is a teacher who has been in my classes as many as six or seven years; Mary Knowles, a teacher, who was in my classes for years; Catherine Murphy, a teacher, who was in my classes; Louisa Hammond, Delilah Billings, Lyndon Lyons, Alfred Collins, Clement Hagar, Alvah Canfield, and James Ashton; I could give you many more.

Q. You keep this record of passes, or permits, do you not? A. No, sir; they are kept by Miss Haskell, the lady in the parlor; and there is another thing that I would like to have understood: that the corporeal punishments, that I am accused of having inflicted, were under the direction of our former superintendent, Mr. Cooper; and that for them, I am not in the least responsible.

Q. Has there been any corporeal punishment in the institution within the last year? A. Not to my knowledge; I have not inflicted any.

ALVAN T. CANFIELD sworn :

Q. How old are you ? A. Twenty years old the second day of December.

Q. How long have you been in the institution ? A. Eight years the first of January last.

Q. All that you teach is of course oral ? A. Yes, sir.

Q. How far have you gone in arithmetic ? A. I have ciphered through the arithmetic, through the principal rules ; there may be some that I have neglected.

Q. Enumerate the first four rules of arithmetic ? A. Numeration, addition, subtraction, multiplication and division.

Q. What follows ? A. The arithmetic that is taught in the institution ? after division we generally take up reduction, next, the compound rules.

Q. Have you been through the rule-of-three, fractions, and equations ? A. I have.

Q. Do you teach geography also ? A. I do.

Q. History ? A. No, sir.

Q. Have you studied history ? A. Yes, sir.

Q. Have you gone as far as algebra ? A. I have ciphered in algebra but not to any considerable extent ; I have studied it.

Q. And geometry also ? A. No, sir.

Q. Chemistry ? A. Yes, sir.

Q. How is your health ? A. My health is good.

Q. Are you vigorous and strong, able to stand up all day ? A. Yes, sir.

Q. Do any of your scholars ever complain to you that the food is insufficient in quantity or defective in quality ? A. I have heard complaints made.

Q. State the nature of them ? A. They are various ; they state that the food is bad, that there is nothing at all good about it, that it is improper food.

Q. Do they complain about the dormitories ? A. Yes, I have heard complaints about them.

Q. Have you heard them complain of being treated with partiality by their teachers ? A. I have.

Q. Are these complaints frequent ? A. They have been more frequent within the last month than before.

Q. Where do you sleep ? A. I sleep in the upper—the boys' dormitory with the pupils.

Q. With the elder boys ? A. Yes.

Q. The smaller ones sleep below ? A. Yes.

Q. Have you found your bed damp ? A. No, sir.

Q. Have you ever felt a chillness or dampness in the dormitory where you sleep ? A. The walls have sometimes been damp.

Q. You have known of the roofs leaking ? A. Yes, sir.

Q. Was the complaint made to the superintendent, and did he have the leak repaired ? A. I do not know.

Q. Did you inform the superintendent of these complaints in regard to the food, etc.? A. The complaints were not made to me.

Q. To whom were they made? A. The complaints were made in a sort of grumbling way; I understand that complaints have also been made by the boys to the superintendent.

Q. In geography or other studies are you often asked questions that you are not able to answer? A. No, sir.

Q. Don't the boys sometimes get up questions on purpose to bother you? A. I thought they tried it once or twice.

Q. Did they ever ask any that you failed to answer? A. They never asked me any questions in the geography that I have failed to answer; they once asked me to spell some word—I do not remember what it was, and I told them to ask me out of school at another time; it was an interruption and a breach of discipline then; I would have answered the question at any other time; that is the only case that I remember.

Q. Who reads to you, Mr. Canfield? A. I generally have my reading done at home away from the institution.

Q. How often do you go home? A. Every day as a general thing.

Q. Do you live near? A. Yes, sir.

Q. Do you sleep in the institution nights? A. Yes, sir.

Q. What time in the day do you usually go home? A. In the afternoon or evening, after school hours.

Q. Then you are ready to go home? A. Yes.

Q. Do you get pay here for your teaching? A. I receive a small sum—my board and thirty dollars a year for clothing.

Q. Have you any suggestions to make to the committee, or any explanation as to the manner of education? A. I would merely say, as to the discipline of the institution, that it is more severe than it was last year, and that is one thing that has caused some dissatisfaction; it is not as strict as it has been in some of the other schools; many suppose that the blind ought not to be dealt with as persons that can see are dealt with; but I see no reason why they should be deformed in mind as well as body.

Q. You eat at the teachers' table? A. I do.

Q. Can you give us the diet of one week at the teachers' table—that for Monday, Tuesday, and the other days of the week? A. Yes, sir.

Q. What do you have on Monday? A. We do not always have the same.

Q. Is there any regularity? A. Some regularity, but there are a great many exceptions.

Q. You have been a pupil here for several years, and you have been a teacher for how long? A. A little more than one year.

Q. Do you think the food that you get now at the teachers' table is more palatable, or greater in variety, or better in any sense, than that what you had as a scholar? A. We have at the

teachers' table more than we had at the pupils' table; that is, we have luxuries and different things which the pupils do not; but the food we have at the teachers' table is the same as the food they have at the pupils' table, except we have some luxuries.

Q. You have more meat sometimes, or a different kind of meat?

A. Sometimes we have fish and meat the same day, which I had not as a pupil.

Q. Did you ever as a scholar, while you dined at the pupils' table, discover tainted meat, or spoiled meat of any kind? A. Yes, sir.

Q. Was it frequent? A. No, sir.

Q. How often? A. I do not think it was more than once or twice during the year; we used to have hash, and probably sometimes in the summer that may have been a little sour.

Q. When you were a pupil did the victuals always taste well cooked to you? were they palatable, except on the occasions you refer to? A. Yes, sir.

Q. Is the cook the same as when you were at school? A. I think not, though I know nothing about the changes of the cooks.

STEPHEN BABCOCK, *recalled*..

Q. Has the class of Miss Cox been changed, and given to Miss Murphy? A. I think not.

Q. Don't you know? A. I cannot take my oath; one of her classes was given to Miss Murphy.

Q. Did not Miss Cox formerly teach arithmetic? A. Not this year.

Q. Last year? A. Last year we had a certain set of classes; at the beginning of the term the classes were all re-arranged and reformed.

Q. Is Miss Cox a good teacher? A. She teaches very well.

Q. Is she a seeing or blind woman? A. Partially seeing.

Q. Has there been an attempt to degrade Miss Cox from one degree to another? A. No, sir; I am glad you have asked me more questions; there was another point suggested by your asking Mr. Canfield about being absent from classes; I am frequently absent from classes a little while; I have to go to other class rooms; am frequently called to the parlor, or called out by the pupils; my duties are numerous; on such occasions I always leave my class with some of the pupils; our instructions being oral, some of the pupils are not able to learn as fast as the others, so that some pupils may be thoroughly acquainted with the lesson, while others know but little of it; in such cases I can, without detriment to the classes, leave the best informed to drill the others in what they have been learning; and frequently when I am in the room I use that as one mode of discipline; the pupils ask each other questions, and I see that they are properly answered; I think it makes them more independent in their mode of learn-

ing. Some of our classes are divided into small classes; in the map class we have about as many teachers as maps; we always have one of the best of these to teach the map. A certain pupil will teach the map to one or two others, and then will go to another and be a learner; he will teach one map, and go to another and be a learner, so that he learns and teaches alternately under my directions. My duties as principal teacher frequently call me from the class rooms.

Adjourned to meet Monday, April 4th, at 10 o'clock A. M.

THIRD DAY.

MONDAY, April 4th.

Present—Mr. Fields and Mr. Strong, of the committee; Augustus Schell, President of the Institution; Mr. Tompkins, of the Board of Managers; Mr. Tuckerman and Mr. Hutchins, other members of the Board of Managers, a portion of the day, and J. W. Bulkley, Esq., Superintendent of Public Instruction for the city of Brooklyn.

MARGARET ANN SMITH sworn:

Q. How long have you been here? A. Nine years.

Q. Where are you from? A. West Farms.

Q. You were sent here from New York, were you not? A. I came to the institution from Morrisania.

Q. Where do your parents live now? A. At West Farms.

Q. Were you sent from Westchester county or New York? A. From Westchester county.

Q. How have you been treated since you have been here? A. I can find no fault with my treatment; I have not had any trouble.

Q. How has your food been? A. The most of it has been satisfactory; some things, of course, I did not like as well as others.

Q. What, if anything, is there that you have to find fault with in regard to your food? A. The meat I don't like very well.

Q. What is the matter with it? A. On Tuesdays it does not seem to taste very well.

Q. Tuesdays you have a stew, don't you? A. Yes, sir.

Q. Is it sweet? A. No, sir.

Q. Does that occur often on Tuesdays? A. Sometimes I find it.

Q. Does it taste as if it had been boiled before and warmed up, or as though it was not sweet—which is it? A. It tastes as if it had been cooked before.

Q. On Monday you have soup, don't you? A. Yes, sir.

Q. Does it taste as though it was soup meat made into a stew?

A. Yes, sir.

Q. Is it tainted? A. I did not notice its being tainted.

Q. Do you often notice that the meat is tainted? A. Sometimes the pork on Thursdays.

Q. Do you have pork and beans every Thursday? A. Yes, sir; the beans are very well.

Q. How often do you have mutton? A. We don't have mutton, that I know of.

Q. Can you tell the taste of mutton from beef? A. I don't remember tasting of mutton, so I don't know how it tastes.

Q. Do you remember how beef tastes? A. Yes, sir.

Q. Then the meat that you have is pork and beef, is it? A. We have roast beef on Saturdays, and that I like pretty well.

Q. On Wednesday what do you have? A. Corned beef and cabbage.

Q. What on Thursday? A. Beans and pork.

Q. Friday? A. Fish, and every other Friday we have bread and butter and tea.

Q. So there is no time that you remember having tasted any meat during the week but beef and pork? A. That is all.

Q. Have you any fault to find with your sleeping apartments, are they dry? A. They are dry; I have no fault to find.

Q. Do you hear any complaints? A. Yes, sir.

Q. What do the pupils say? A. That the beds are wet.

Q. The young ladies say that? A. Yes; they complain about the windows being left open too far sometimes.

Q. Are they the younger or the elder girls who make this complaint? A. The elder.

Q. Do they sleep in the same apartment with you? A. Some of them.

Q. You sleep in the upper dormitory? A. Yes, sir.

Q. Have you heard any complaint from the young ladies with regard to the food? Yes, sir.

Q. Is there a general complaint with regard to the food? A. Yes, sir.

Q. Of what does it consist? A. I have heard a great many complaints about the food being bad, that sometimes the meat is tainted.

Q. Do you hear these complaints often? A. Considerable.

Q. How long since you have heard any complaints with regard to it? A. I have heard the most of the complaints lately.

Q. Within the last few weeks? A. Within the last few days.

Q. Do these complaints refer to food in the past or at present? A. Mostly, I think, in the present.

Q. Did you hear them complain last summer about their food? A. I do not remember of hearing them much.

Q. A year ago this winter? A. Not that I can remember.

Q. But you have heard, within the last few weeks, complaints of their food at the present time? A. I have.

Q. Are your bathing facilities satisfactory to you? A. Yes, sir.

Q. How many towels do you have a week? A. I have one.

Q. And one bathing towel, don't you? A. We do not have regular bathing towels—I don't.

Q. Do you have one towel for your toilet or dressing room, and the same for a week for your bathing? A. Yes, sir.

Q. So you have one towel a week only? A. Yes, sir.

Q. Who takes care of your clothes and sees they are mended and in proper order? A. Mrs. Hardenberg sees to the clothes, and we have persons in the sewing room, a lady who mends them.

Q. Are you taught habits of cleanliness? A. Yes, sir.

Q. Is there anything which you have not referred to that you would like to say to this committee? A. No, sir.

Q. Do your teachers treat you kindly? A. Yes, sir.

Q. To their classes is their treatment kind and proper, or are they cross and petulant? A. I do not see anything cross, anything to complain of.

Q. In your judgment, are you punished severely or improperly? A. No, sir.

Q. Think you are punished only when you deserve it? A. Yes.

Q. Of what does your punishment consist? A. Of sometimes taking the passes from the hook, and they lock them up sometimes.

Q. Lock them up where? A. In a sort of a closet down stairs.

Q. Do they lock the girls up there as well as the boys? A. Yes, sir.

Q. How often do they lock them up? A. There have not been many instances of their doing it this year; there were more last year.

Q. Do you have one towel a week, or three towels in two weeks? A. We have, for instance—I have a towel on Saturday and I use that towel until the next Saturday, then I get another; I use one towel all the week.

Q. Then, when you bathe, what towel do you use to dry yourself with? A. The same towel that I used that week.

Q. On what day do you bathe, when you bathe? A. On Saturday.

EMMA LENT *sworn*.

Q. Where are you from? A. Schenectady.

Q. How long have you been in the institution? A. This is my third year in the house, the fourth year of my time.

Q. During the time you have been here how have you been treated? A. Very kindly.

Q. As to your food, have you anything to say with regard to it? A. At present I have no complaint to make.

Q. Have you any complaint to make as to the past? A. There has been some improper food.

Q. What are those things you have to complain of? A. We have had sour hash twice this year, once since January.

Q. How is the butter? A. We had very bad butter once since January.

Q. As a general thing how has your food been? A. I can make no complaint of the food we have had this year.

Q. Last year how was it? A. Last year I was not in the house, two years before it was rather bad.

Q. As to your instruction, have you any fault to find with it? A. No fault.

Q. Have you received all the advantages of instruction that you think yourself entitled to here? A. Yes.

Q. Do you study music? A. Yes.

Q. How many hours a day do you have of practice? A. Two.

Q. Do you know how many females study music? A. No, sir, I do not know.

Q. Do you play on the piano? A. Yes.

Q. On the organ? A. No.

Q. Who is your teacher? A. Miss Connell.

Q. How are your sleeping apartments? A. I have no complaint to make of them; they are very clean and dry.

Q. Have you any complaint to make about your bathing apartment? A. No.

Q. How about your treatment by your teachers? A. I have no complaint to make of them; they treat me very kindly.

Q. Do you often see Mr. Wait in your recitation room, or know of his being there? A. Occasionally.

Q. Every day think? A. No.

Q. Every other day? A. No, not in our class.

Q. Are you in the lower class? A. The junior, the third grade.

Q. Is he often in the dining room at meal times? A. Yes.

Q. Every meal? A. No, sir.

Q. Every day? A. Yes, sir, I think so.

Q. Have you ever had occasion to make complaint either with regard to your food or treatment? A. Not this year.

Q. Since he has been superintendent? A. No.

Q. Have you experienced any improvement in the institution within the last year? A. A great improvement.

Q. What does it consist in? A. The school and instructions are much better.

Q. What else? A. The food is cooked and prepared better than it was a year ago.

Q. Your treatment more kind, or less kind? A. Well, I am a young lady now, and I find that I enjoy the teachers' society very much indeed, and consequently it is much pleasanter this year than ever before.

Q. Do you teach any? A. No, sir.

Q. Have you received sufficient musical education, in your estimation, to enable you to teach? A. Not as yet.

Q. Do you think you will by the time you leave the institu-

tion, if you progress as rapidly as you can? A. I don't know; I have not a great deal of capacity.

SARAH DONNELLY *recalled*:

Q. What further have you to say, Sarah? A. On the 22d of February, Washington's birthday, we were called into the chapel to hear, as usual, Washington's farewell address; I came down from prayers at half-past eight o'clock in the morning, and they said the bell would be rung for us about ten o'clock: so, between that time and ten o'clock, I did not feel exactly well, and I did not go up; so, while the pupils were in the chapel, those that went, some persons came round to see who of the pupils were absent; I was lying in bed with Maggie, here; the person came round to where I was lying, made some remark about the windows being open, and asked me then if I was sick; I said that I was not very sick, so she went off and reported to Mr. Wait that I was one of those who were absent out of the chapel; so I was called up then, and on giving my excuse to Mr. Wait, he asked me if I was sick; I told him I was indisposed so far that it was inconvenient for me to go to chapel and sit there for a couple of hours, and he asked me whether I was to be the judge or not; I told him I thought I was to be the judge of that case, and he sent me then directly to the sick room, where I remained for that day and night, and came out the next morning; on another occasion, when I had been about six months in the house, we were practising in the choir, and I happened to drag out a few words in a way that Mr. Babcock didn't like, and he came, with what I supposed to be a roll of music, and hit me on the head with it; I told him to keep his hands off, I didn't wish him to lay his hands on me, and he got me into quite a difficulty about that.

ANN MOORE *sworn*:

Q. How long have you been here? A. Four years.

Q. What complaint have you to make? A. I was in the spelling class, and asked Miss Knowles if she would not please change my seat; she told me to go to the other side of the window; I did not, because it was cold there; then she said she would not change my seat, so I moved myself, and set on another seat, and she told me to report myself to Mr. Babcock, and he took me into the young ladies' school-room, and asked me which I would rather do, apologize to the teacher, or be punished; I said I would rather be punished, and he told her to punish me in any way she pleased; she took me and locked me up in a damp, cold room down stairs, and left me from half-past nine in the morning till half-past six at night; it was a very cold day.

Q. How long ago? A. About two years ago.

Q. Have you suffered from disease contracted in that place?

A. Yes, and Miss Knowles, when she heard I had got the erysi-

peles, said it was good for me; the pupil that heard her say it has gone now; I have been troubled with it very much.

Q. Have you been troubled with the erysipelas ever since?

A. Pretty nearly every two weeks.

Q. Have you had any treatment here for it by the physician?

A. Yes, sir.

Q. What did he say was the cause? A. The first time I went in the sick room, he said I had caught a very bad cold.

Q. How long was that after you came out of the dungeon?

A. About two days.

Q. Was it damp? Yes, sir.

Q. That was before Mr. Wait was here? A. Yes, sir.

Q. Was Mr. Cooper here? A. Mr. Rankin; he was up at Albany, and Mr. Babcock took his place.

Q. That was Mr. Babcock's orders? A. Yes.

Q. Have you got anything to say about your food? A. It has been bad; the meat tainted, the hash sour; the butter has been bad, and the dormitory has been damp.

Q. How has your treatment been, independent of these circumstances? A. I have been treated pretty well most generally.

Q. Does Mr. Wait treat you kindly? A. Yes, sir.

Q. Does he generally treat all his pupils kindly? A. I don't know; I applied for some dry clothing, and some other girls got it.

Q. Were you entitled to it? A. Yes sir.

Q. What was the reason you did not get it? A. The matron told us Mr. Wait would not allow us to get any.

Q. Are these garments you have on your Sunday clothes? A. Yes.

Q. Have you any hat to wear to church? A. No, sir, I have had to stay from church.

LAURA SMITH, sworn :

Q. What have you to say, Laura? A. Saturday when I came over here you were engaged; it had been raining in the dormitory, and one of the pupil's beds was soaking wet, and Mrs. Hayes ran up into the dormitory and changed the bed; she told us some of the pupils had thrown water on the bed; after she had changed the bed, she told us of course to say that the bed was not changed; that was Saturday, yesterday morning; one of the young ladies got up, and it had rained so that the water had run down quite a distance from that bed, and her shoes were wet with water.

Q. What young lady was that? A. Ellen Flyn.

Q. What complaint have you to make about the food? A. It is not well cooked, and we have found hairs in it.

Q. How about the meat? A. It is tainted, and never cooked very well; the cabbage is not half cooked, and the potatoes have sometimes been bad.

Q. Have you any fault to find with treatment as to punishment? A. We have been punished by having our passes taken off just for speaking in the hall.

Q. You struck a girl? A. I hit her accidentally.

Q. You ran against her? A. Yes, but I asked her to excuse me; my pass was taken off for a month.

Q. To whom do you make your complaint when anything goes wrong in the institution—when the meat is bad or tainted, or the hash sour? A. We have been to the superintendent and to the matron, too.

Q. How many times have you complained about this to anybody in the institution? A. I don't know, sir.

Q. Did you ever complain? A. Yes, sir.

Q. How many times have you told them? A. I don't know.

Q. As many as a dozen times within a year? A. Yes, as many as a dozen.

Q. Have you been yourself with others? A. Yes.

Q. To the matron? A. Yes, often; we have cocoa at the table; I sent word to the matron, asking if she would be kind enough to let us have some tea, and she sent word up to us that the cocoa was good enough to drink, and if we could not drink it we could go without.

Q. Did you go to Mr. Wait and say the meat had been tainted? A. We have been and told him about the things being bad, and he told us not to come to him, but to go to the matron.

Q. When was the last time that you made a complaint to the superintendent? A. I do not remember how long ago; two or three weeks ago, I guess.

Q. How long before that was the next complaint? A. I do not remember; we went different times—I don't exactly remember the times we went.

Q. How long have you been in the habit of complaining? A. We complain every time he comes in the dining room.

Q. For a year past? A. No, sir, he has not been here all the past year; when he comes to the table we often speak to him about it, and he has said the matron was the one to go to.

Q. Did you use to make this complaint to the other superintendent? A. When there was anything wrong we asked Mr. Rankin and he always tried to have things fixed right for us; he always saw that it was right.

Q. Is the same matron here now that there was then? A. No, sir.

Q. Who was matron then? A. Miss Baldwin.

Q. She is in the building now isn't she? A. No, sir.

Q. Is Miss Hayes the teacher here? A. No, sir.

DELILAH BILLINGS, *sworn*:

Q. How long have you been here? A. Four years.

Q. Where are you from? A. From Monroe county.

Q. Can you see at all? A. I can see some in my left eye.

Q. What complaint have you to make to this committee? A. I have no complaint to make, but I have some statements to contradict that I have heard.

Q. How has your treatment been? A. It has been good since I came to the institution.

Q. How has your food been? A. My food for the first two years was taken at the pupils' table; since that I have been to the teachers' table; I teach in the afternoon a small sewing class.

Q. What does your food consist of one day with another? A. At the teachers table I often have things that I had at the pupils' table, that is the same quality.

Q. Do you often have things you did not have at the pupils' table? A. Yes.

Q. You live better? A. We have a greater variety.

Q. How often do you have mutton? A. I do not know how often we have it; Tuesdays, generally.

Q. Is it a mutton stew or roast mutton? A. Roast mutton, generally.

Q. Do you have dessert often? A. Generally we have dessert at dinner at the teachers' table.

Q. What do you have? A. Sometimes rice pudding or boiled rice, sometimes apple pie, bread pudding, and different things.

Q. Do you live much better at the teachers' than you did at the pupils' table? A. We have a greater variety and more, but I think what we have is the same quality as that of the pupils.

Q. How is your hash? A. I know that the pupils often state that their hash is sour; we often have none on the teachers' table, and have to send to the pupils' table for it.

Q. Do you generally have it the same days that the pupils have it? A. Yes, sir.

Q. Why do you send for it to the pupils' table? A. Because there is none upon ours.

Q. That is not every week, is it? A. Yes, every week.

Q. Do you want the committee to understand that they do not serve hash for your table at all? A. I do not know whether they serve it at all or not, but I think it is the same.

Q. Do you want to say that every week you eat the same hash that is on the pupils' table? A. I think it is the same; it all tastes the same to me; at the time I heard the pupils complain of the sour hash I did not take the hash; I know the hash was sour that morning.

Q. How long ago was that? A. It was previous to the sending of the first petition to Albany; I could not tell how long ago it was.

Q. Have you heard much complaint among the pupils? A. Yes, ever since I have entered the institution.

Q. You said something about the quality of the meat, do you notice in it or in the cooking of it any difference between that

which you now have at the teachers' table and what you had at the pupils' ? A. No, sir, I do not; we have had meat that was a little stale, but not lately; in the summer we have had it, but that has nothing to do with the present; we have had that which was rather stale.

Q. Is the meat that is now served on the teachers' table the same as that on the pupils' ? A. I think so, except we have mornings beefsteak, which the pupils do not have.

Q. The steaks are for the teachers ? A. Yes.

Q. Do you notice any difference in the stews ? A. I do not like the stews and do not eat them; some of the teachers like them and send to the pupils' table for them.

Q. Did you use to eat at the pupils' table ? A. Yes, sir.

Q. Did you like the food furnished there ? A. No, sir, I did not like the way it was fixed.

Q. You have not eaten it since ? A. No, sir; one of the pupils thought that the stew on Tuesday was made from the meat that was cooked on Monday for the soup; my opinion is that the meat that was cooked for the soup on Monday is made into hash on Tuesday morning; for the stew I think we have new meat cooked.

Q. When at the pupils' table was it your opinion that the stew was made of the soup meat ? A. No, sir.

Q. How did it taste ? A. I cannot remember how it tasted; I did not like it.

Q. Did it lack seasoning, proper condiment ? A. I think the seasoning was all right, but I think the meat at that time was rather stale sometimes.

Q. What class do you teach ? A. Nothing but the sewing class in the afternoon; I go to school in the morning; I have heard Mr. Babcock spoken of as having treated the pupils harshly; I do not think I ever saw him treat them any way but kindly; parents have to punish children, and I am sure that the blind are generally a humored class of people, and when they come here some of them are very stubborn and saucy.

Q. You do not mean to deny that they are punished ? A. No, sir, they are punished sometimes.

Q. You think they deserve punishment ? A. Yes, sir.

CATHARINE HANMER re-called :

Q. What else, Catharine ? A. Mr. Babcock's treatment of us is not as it should be; he has accused me of telling a falsehood more than once, and in the presence of this young lady that has just been giving you testimony, and she heard Albert Collins complain about the food just as loudly as any of us, and he said it was a disgrace to the institution; about fifty of the pupils cross over to the bakery to buy victuals, and I have had to do it myself.

Q. You testified here the other day that you got enough to

eat such as it was? A. We get plenty of bread just as much as we want, but that is not enough to sustain us; we want something else that has more nourishment; when the pupils have friends in the parlor, they cannot speak to them; it is a general sitting room, and we have no other place to receive our friends.

MARY L. DICKIE sworn:

Q. How long have you been here? A. Two years the first of last February; I came from Claverack, Columbia county.

Q. Are your parents living? A. Yes, sir, both of them.

Q. Do you receive any money from home? A. Yes, sir.

Q. Are you a State pupil? A. Yes, sir.

Q. Were you born blind? A. No, sir.

Q. How have you been treated? A. Kindly.

Q. How has your food been? A. This year it has been better than before.

Q. When you say this year do you mean since last January? A. Since last September.

Q. How are your sleeping apartments? A. Perfectly neat and tidy.

Q. Are they dry? A. Yes, sir.

Q. Which dormitory do you sleep in? A. The lower.

Q. Did you hear anything about the dormitories being wet on Saturday? A. Yes, sir.

Q. Which dormitory was it? A. The upper.

Q. Did you hear anything about Miss Hays' changing the beds? A. I heard she changed one of the young ladies' beds.

Q. Do you know whether it was so? A. No.

Q. You have no complaint as to instructions, the place you sleep, clothing, or anything of the kind to make to the committee? A. No, sir, my father clothes me.

Q. Do your parents come to see you often? A. Yes, sir, my father generally returns with me, and he generally comes back.

Q. Are you often in the parlor to see friends? A. Yes, sir.

Q. Is it as Miss Hamner complained? A. I have not found it so.

Q. Did Miss Hays say anything to you about changing the bed? A. Yes, she spoke of it.

Q. She said it was changed? A. Yes, sir.

Q. Tell us what she said? A. She said she found a bed wet, and had it changed.

Q. Did she say why she had it changed? A. No, sir.

Q. Was it on Saturday? A. Yes.

Q. What time of day was it that the bed was changed? A. I believe it was in the morning.

Q. She did not say she changed it because she thought the committee were going to examine the dormitory? A. No, sir.

MARY NOLAN testified further, as follows:

I have heard Miss Billings give in her testimony; I have re-

ceived from the teacher's table different food altogether from that of the pupils.

Q. Is it true or not what Mary Donnelly has said? A. Yes.

Q. Have you been ill-treated by Mr. Babcock? A. No, I have never had any trouble with him; I want to have one other thing added to my testimony; there are Roman Catholics in this institution and they are made to attend service in the chapel, which is altogether against their conscience.

Q. Have you ever objected to Mr. Wait that it was against your conscience? A. We could not do it; if we stayed from church we were punished.

Q. Did you ever remonstrate against going on the ground that it was contrary to your religious faith? A. No.

CHARLES G. OTTO testified further, as follows:

I would like to say that the baker informed me on the 13th or 14th of February, that meat had been brought here which changed color.

Q. What is his name? A. Jacob; and I would also like to have those who are in the hospital department called upon to prove that I inquired of them in reference to the water-closet.

HUGH W. PAUL, sworn:

Q. What is your business? A. Produce dealer.

Q. Where is your place of business? A. No. 431 Eighth avenue.

Q. Do you supply this institution with vegetables? A. Yes, sir.

Q. How long have you done so? A. Over four years.

Q. Do you supply by contract? No, sir, by daily sales.

Q. What rates do you charge? A. The regular market prices.

Q. Who gives you the orders? A. Mr. Ambler, the steward of this institution.

Q. Does he give you daily orders? A. Whenever he wants things; sometimes every day in the week, and sometimes not.

Q. Sometimes once a week? A. More than once.

Q. What does your supply for this institution consist of? A. Potatoes, fish, and all kinds of vegetables.

Q. Name the vegetables that you furnish? A. Apples, potatoes, with fish, soup greens, not much cabbage this winter, a very few carrots, yellow turnips, white turnips.

Q. What quantity of potatoes do you furnish every week? A. Four barrels.

Q. How many turnips? A. Some weeks only one barrel, and then one barrel in every two weeks.

Q. How much cabbage? A. I have not supplied them with any cabbage at all of any account this winter; two heads for soup on Monday, some to-day.

Q. What quantity of carrots do you supply? A. About half a dozen or so to make soup once a week lately.

Q. How many apples have you supplied during the last year?

A. Generally a peck at a time, or half a bushel.

Q. How often do you make that supply of apples to the institution? A. As near as I can recollect, sometimes twice a week and sometimes three times, I think.

Q. What was the quality of articles that you supplied? A. The best that I could buy in the market.

Q. Do you charge the highest price? A. A fair medium price, not as high as I do my other customers.

Q. Do you buy these articles yourself by the wholesale? A. Yes.

Q. From the boats? A. Yes, and some from the country.

Q. You say to this committee that their quality is the very best you can find in the market? A. Yes.

Q. Have there been any times when the potatoes were damaged or when it was difficult to get potatoes, or anything like that within the year past? A. Not that I have seen; I have seen every potato that has gone out of the place.

Q. Do you deliver them yourself? A. I sometimes fetched them, but have generally put them into the wagon for the boy to bring.

Q. Where do you deliver them? A. Right in the kitchen; I have the orders sent down—orders written on their pass-book.

Q. Have there been times during the past year when it was difficult to get hold of good potatoes? A. I have always had plenty of good ones, cold weather and all.

Q. About what time of the day do they usually come for the vegetables? A. In the potato line they generally come up between half past eight and ten in the morning.

Q. Do you send them up whether ordered or not? A. No, sir, only when they are ordered.

Q. Who comes down and orders them? A. Mr. Ambler sends a written order down, or if he is in the store the night before he tells me what to send.

Q. You furnish the institution with the same quality of vegetables that you furnish your other customers? A. Yes, sir, but at a less price.

Q. What percentage less, on the average? A. About ten per cent less.

Q. Why do you do that? A. Because the quantity is so great.

Q. When you have been delivering your articles here do you ever notice the meats? A. There are meats come from our establishment—I am in the building with them.

Q. You have no interest in the meats that are furnished? A. No, but I have seen the meat come; I think there is another butcher by the name of Dodge and Varian.

Q. Who is the one to whom you refer? A. H. H. Grebe and son.

Q. What meat do they furnish? A. They generally send steaks for breakfast, and veal and corned pork once a week.

Q. Do you have any chicken? A. Yes.

Q. Do you ever send chickens or poultry here? A. We have sent a few chickens; I don't know whether they used them in the sick room or not; we have sent chickens for Christmas and Thanksgiving.

Q. How many did you send last Thanksgiving, do you remember? A. I don't know—all we had; I am not interested in that.

Q. You saw them? A. Yes.

Q. About 150 to 200 pounds? A. Yes, sir, I should judge there was.

Q. You never noticed the meats that you saw here in the establishment? A. No, sir; the butcher that I am with, he has cut up the quarters of beef for them that have come from this place—he has cut them up into small pieces so that they could be used.

Q. Do you ever notice the beef? A. Yes, our own; that which they send from Bleeker street, I do not.

Q. Have you an interest in it? A. No, sir.

Q. Why do you call it "our own"? A. To distinguish from the other butcher in Bleeker street.

Q. You use the same wagon to send them up? A. Yes.

Q. What is the character of the meat that is sent? A. Good.

Q. Prime beef? A. Yes, Mr. Ambler would not take any that was not good.

Q. How about the pork that he sends? A. All the pork that has been sent up here has been good, Orange county pork; It has been cut up and corned.

Q. When is it sent up? A. Once a week, every Wednesday; all that has been sent up this winter has been good; I have heard him say that he has not had a piece of sour or bad pork in the store.

Q. Do you know anything about the salt pork? A. I know it to be good.

Q. Have you any idea how much is furnished on Wednesday? A. About twenty or thirty pounds, I think.

Q. Have you ever seen mutton sent? A. I don't think there has been any sent from there this winter.

Q. How often, on what days, is the salt pork sent? A. I believe Wednesdays, but will not be sure whether it is Wednesdays or Thursdays.

Q. Have you furnished the beans? A. Only once this winter, I think twelve quarts last winter.

Q. How many did you use to furnish? A. I sent up a whole barrel full a year ago this last winter.

Q. Did they use them up? A. They used them during the winter; then the price went up.

Q. The pork is furnished on Wednesdays? A. I guess it is on Thursdays, I cannot tell exactly; it is.

Q. Did you see it last Thursday? A. I saw it Wednesday or Thursday.

Q. The week before on Wednesday or Thursday or Thursday? A. I saw it on that week.

Q. And the week before that? A. I have seen it almost every week.

Q. You are sure it comes Wednesdays or Thursdays? I cannot tell which day.

Q. That is the salt pork you speak of? A. Yes, in quantities from twenty to thirty pounds, in pieces four to five pounds each.

MARY ANN HAYS sworn:

Q. What position do you hold in this institution. A. Matron.

Q. How long have you been matron? A. Six months the sixth of this month.

Q. Had you ever been connected with this institution in any way before? A. No, sir.

Q. Had you ever been connected with any other institution? A. Not as matron; I was housekeeper at one time in the orphan asylum.

Q. Which? A. Protestant Orphan Asylum, in Albany.

Q. How long ago was that? A. About nine years ago.

Q. Are you a resident of this city? A. No, sir.

Q. Where do you belong? A. I came from Albany to this place; that was my last home; my native place is in Fulton county.

Q. On last Saturday, when this committee were present, was one of the young ladies' beds changed on account of its being wet? A. I do not know, sir, whether it was or not.

Q. Did you change one of the beds? A. Yes, sir, one of them was changed.

Q. What was the reason of its being changed? A. Leakage from the roof.

Q. Was there more than one of them changed? A. No, sir.

Q. At what time in the day was it changed? A. About five o'clock in the afternoon; it might have been between four and five.

Q. Do you attend in the dining room when the pupils are at meals? A. Yes, sir.

Q. Do you hear them make complaints as to the food? A. I do sometimes,

Q. Have you noticed these complaints being made all the time you have been here during the last six months? A. Yes, sir.

Q. Do they make complaints to you about it personally? A. No, to the servants, but I hear them.

Q. Have they at any time come to you and made complaints? A. At one time they did.

Q. How many of them came? A. Four of them.

Q. What was the nature of their complaint? A. That the hash was sour.

Q. Did they say they had been sent to you by any one to make the complaint? A. Oh no, they came on their own responsibility.

Q. Did you examine the hash at the time? A. I did, sir.

Q. What was the ground of the complaint? A. It was sour.

Q. How often is it the case that the hash gets sour? A. That is the only case I know of its having been sour.

Q. Do you taste of the food of the pupils every day? A. Almost every meal.

Q. What is your object in tasting it? A. To be certain it is properly cooked and a proper article.

Q. Are you instructed by the superintendent to do it? A. I do it voluntarily, on my own responsibility.

Q. Have they ever complained to you that the tea was poor or weak? A. They have complained since this committee was appointed.

Q. Before this did they complain about it? A. They did.

Q. When they made these complaints did they say that the superintendent sent them to you, they having first made a complaint to him? A. No, sir.

Q. Are there any orders from the superintendent with reference to such complaints,—any regulation as to whom the complaints shall be made to? A. Yes, their complaints are either to be made to me or to him; that is the regulation of the institution, as I understand it.

Q. Do you understand that to be the regulation, by any printed rule that you have seen? A. I have heard Mr. Wait say that.

Q. You have not seen the printed rules? A. I do not know whether it is printed or not; I have not seen it printed.

Q. Have the pupils ever made any complaints to you about the beds being damp or the rooms being damp? A. No, sir, never at any time.

Q. Have you heard them make complaints about it to others, (you say that you have heard complaints made by the girls relative to their beds)? A. No, sir.

Q. Have you ever heard them complain to each other? A. No, not until this committee was appointed.

Q. What is your opinion, Miss Hays, about the condition of the cooking in this establishment; do you consider the cook competent to the performance of her duties? A. I think it is as good as could be under the circumstances; I think the facilities are not as good as they would be in a private family, but I think our food is generally good.

Q. Is it as good as it was in the orphan asylum? A. Yes, much better.

Q. Are the facilities any better? A. I do not think their facilities are any better than they were there.

Q. In quantity and quality how does the food compare with that of the other institutions with which you have been formerly?

A. Very much better in this.

Q. You may state, if you please, the character and the quality of the food during the week, from one week to another, from your own personal knowledge, and the manner in which it is served?

A. The quality is good; Monday we have soup, and it is generally very nice indeed.

Q. Can you tell us what it is made of? A. It is vegetables and rice, and sometimes a little onions and celery and carrots.

Q. Potatoes? A. Sometimes, and sometimes not.

Q. Beef soup? A. Yes, sir.

Q. Pepper and salt in it? A. Yes, sir, it is well seasoned.

Q. With the soup, what do you give them besides? A. Soup, meat and bread on the same day.

Q. On the next day, do you have hash for dinner? A. We have hash for breakfast.

Q. What do you have for dinner on Tuesday? A. Stew.

Q. What is the hash made of? A. What is left of the soup meat.

Q. On Tuesday you have what for dinner? A. Beef stew.

Q. What is it stewed with, potatoes? A. Sometimes, and sometimes it is not; sometimes just the stew itself, without any potatoes; sometimes it is flavored with some other vegetables.

Q. What cuts of the meat, do you know one piece different from another? A. It is the pieces that usually do not cook as well, you cannot cook them as nicely in any other form.

Q. When is the beef out of which you make the stew on Tuesday delivered at the house? A. On Friday afternoon.

Q. Where is it kept? A. In the cellar.

Q. In the ice box? A. No, sir, it has not been this winter.

Q. In summer where is it kept? A. I do not know.

Q. Has it been hung up in the cellar? A. Yes, part of it, and part of it on the table.

Q. On Wednesday, what do you have for dinner? A. Corned beef and cabbage.

Q. Any vegetables besides? A. No, sir, not as a general thing.

Q. Do you have pork at all on Wednesday? A. I believe that there has been a day or two that there have been pieces of pork with it.

Q. Corned pork, salt pork? A. Salt pork.

Q. Thursdays, what do you have for dinner? A. Pork and beans.

Q. What is the character of the cabbage? A. It is very nice.

Q. Well cooked? A. Yes, pretty well cooked; we all eat of cabbage cooked together, the same kind.

Q. On Thursdays, is the pork salt pork, that is cooked with the beans? A. Yes, and baked beans; part of the time they have been boiled.

Q. Friday? A. We have fish, one week salt and the next week fresh.

Q. What kind of fresh fish? A. It is usually codfish, Friday.

Q. When is that delivered? A. Usually on Friday mornings.

Q. On Saturday, what do you have? A. Roast beef and potatoes.

Q. What cuts do you roast? A. I could not say exactly what the cuts are, they are nice pieces.

Q. Ordinary cuts? A. Yes, sir.

Q. Are they ribs of beef? A. Some of them; some of the ribs are in, just as they come in a quarter of beef in ordinary cuts.

Q. What day of the week do you have mutton? A. We seldom have mutton; sometimes there are some cuts with the beef, but it comes in very small quantities; we use but very little of it.

Q. On the average how often do you have mutton for the pupils? A. We don't have it for them at all; there may be sometimes some pieces in the stew.

Q. But, as a general thing, you do not have it at all? A. No, not for the pupils.

Q. These meals that you have been describing as being eaten throughout the week, are they what the teachers have, or the pupils? A. The teachers have off of the same; for instance, they have, on Tuesday, some of the stew, and something else—perhaps beef, or something of the kind.

Q. Do the teachers and the pupils eat from the same batch? A. The stews and the roast meat are all cooked together for both.

Q. Is there anything extra then on the larger table? A. Yes, sir.

Q. Do they often have these extras? A. In the way of meat? No.

Q. Ham and eggs? A. We have never had them but once since I have been here.

Q. When was that? A. Last Friday.

Q. Pies and puddings are not placed upon the childrens' table? A. No; we sometimes give them bread pudding, and then rice occasionally.

Q. Who makes the beds in the dormitories? A. The chambermaids on the boys' side, and the girls, as a general thing, make their own beds.

Q. What is the names of the two chambermaids? A. Ellen Patterson, on the boys' side, and Eliza Lawler in the girls' part.

Q. Can these chambermaids see? A. Yes.

Q. They are employed as chambermaids? A. Yes.

Q. They are not pupils in the institution? A. No, sir.

Q. How many beds are there? A. I do not know.

Q. You never counted them? A. No, sir.

Q. How many pupils are there—girls. A. That I do not know.

Q. Do the teachers and pupils sleep in the same dormitory?
A. Yes, sir.

Q. There are two dormitories, are there, in the female department?
A. Yes, sir.

Q. Do you have charge of the boys' dormitories as well as the girls'?
A. Yes.

Q. Do you know the number of the boys or the number of beds?
A. I do not recollect.

Q. How often do you change the bed linen?
A. Every week, one sheet and the pillow slips.

Q. You change the pillow slips and the under sheet every week?
A. Yes.

Q. What other rules or regulations have you given to the chambermaids with reference to caring for the beds, or airing the bed-clothes and bedding?
A. The girls open the beds when they get up in the morning, and open their windows, and after breakfast they make their beds—or part of them do, and part of them do not till recess.

Q. Why is it that part of the pupils make their beds at one time and another part at another time?
A. We want them to make them all at once, but they always have some excuse that they cannot in the morning, which is the proper time.

Q. Have you any established rule as to the length of time that a bed shall be aired?
A. No, sir.

Q. Are the chambermaids required to report to you any unusual occurrence in a bed, where a bed is damp, or anything of the kind?
A. Yes, sir.

Q. How often do they make these reports?
A. Not very often lately.

Q. How long since this rule requiring the children to make their own beds was established?
A. About three months, I believe.

Q. Since the first of January?
A. I think so.

Q. Did you make the rule?
A. No, sir.

Q. Was it made at your suggestion?
A. It was talked over between us.

Q. Between the superintendent and yourself?
A. Yes, sir.

Q. What did the children say to it?
A. Some of them thought it perfectly right, liked it very well, and others did not.

Q. Tell me what regulations or instructions you have given to the chambermaids with reference to the making of the beds, and to the condition in which the dormitories shall be kept, the airing of the beds, the shaking up and turning of mattresses, and everything of the kind?
A. The mattresses are turned twice a week.

Q. You give instructions to the chambermaids to turn them twice a week?
A. Yes, sir.

Q. Do you give them instructions as to airing the beds?
A.

Yes, sir; the beds are all aired, but not at any particular time; we calculate they shall be made up before noon.

Q. How do you know whether the linen upon the beds is changed every week? A. I generally see that it is.

Q. Do you pass through the dormitory every Saturday? A. I go through the dormitory every Monday, and see that it is done by the chambermaids.

Q. Pillow-slips and the under sheet changed? A. Yes, sir.

Q. Is the bed-clothing ever taken out of the rooms and brought down into the yard to air? A. It has not been since I have been here.

Q. How often do you change the counterpanes or blankets? A. We have no established rule about it—whenever they are soiled.

Q. Do you have a person in the room whose duty it is to attend to the younger girls in case of sickness? A. We have a woman who attends to it.

Q. Who is that? A. Mrs. Queale.

Q. Can she see? A. Yes; she does not sleep in the dormitory, but her room is adjoining the dormitory.

Q. It has communication with it? A. Yes, sir.

Q. She is required to attend to the calls of the girls at night? A. Yes, sir, or any other time—that is, the small girls.

Q. How long has she been in that capacity? A. She was before I came here.

Q. Do you have a room that is known as the linen room? A. No, sir, we have a store room where it is kept with other clothing.

Q. Do you keep any account of the linen and bedding in it? A. The assistant matron does.

Q. Does she have the giving out of the bedding? A. Yes.

Q. Every week? A. Yes.

Q. Were you here in February when the committee were here? A. I was.

Q. Were you in the dining room on that day? A. Yes, sir.

Q. Was the dining room locked? A. Yes, sir.

Q. Why was it locked? A. To enforce the rules.

Q. What rules? A. It is the rule of the institution that the pupils shall not leave the dining room until the dismissal bell has rung, and then several of the pupils went out; I asked them if they would not wait a few minutes till the bell was rung; they disregarded my request and went out, and I turned the key in the door.

Q. Did any of them ask you why it was done? A. No, sir.

Q. Did you use this expression, it was "none of their business," to any of them? A. No.

Q. Is it locked every day at dinner? A. No, sir.

Q. Usually? A. No, sir.

Q. When before? A. That was the first time it was locked at dinner.

Q. Was that the first time they ever attempted to violate the rule? A. They often attempted to go out before the dismissal bell, but if I asked them to stay they generally did; but that day they persisted in going and I locked the door.

Q. And it was mere accident that it was on the day that the committee was here? A. Yes, mere accident.

Q. Do you have charge of the towels? A. No, sir, the assistant matron does.

Q. Who attends to the bath? A. I attend to that.

Q. Do they have clean towels when they bathe? A. Yes, sir; there are four bathing tubs and one girl is in a bath tub at a time.

Q. How often is the water changed—how many girls bathe in the same water? A. Really, I don't know.

Q. Who attends to that? A. The chambermaid, Eliza Lawler.

Q. Do you eat at the same table with the teachers? A. Yes, sir, and at the same time.

Q. Please enumerate your duties as matron? A. I do not know as I could all at once; I have the general charge of everything in the house.

Q. Have you ever read your duties as laid down in the rules and regulations of the institution? A. I have heard them read several times.

Q. Who read them to you? A. Mr. Wait; I have charge of the store room, the giving out of everything; I do it myself.

Q. You just stated that you did not give out the sheetings? A. They are not kept in the storeroom.

Q. What do you call it? A. We call it a closet.

Q. What else? A. I see that the house is kept in order.

Q. Is it your duty to report? A. Yes, to the superintendent, if things are not as they should be.

Q. Whenever any complaint is made to you on the part of the pupils, in regard to anything as to their food or treatment, do you always report the fact to the superintendent? A. Yes, sir, whenever any complaint is made to me I do it.

Q. Do you make daily or weekly reports of the condition of the house, and condition of the the pupils? A. No, sir.

Q. Monthly? A. No, sir, I report them as they occur.

Q. Are your reports made verbally or in writing? A. Verbally.

Q. Is there any rule that you are to make written reports? A. No, sir.

Q. How often do you take an account or memorandum of the articles of the institution on hand, bedding, &c.? A. That does not come under my charge; Mrs. Hardenbergh, the assistant matron, attends to that.

Q. Have you ever had any occasion to punish any of the female pupils? A. I punished one girl, Sophie Taft.

Q. How did you punish her? A. I gave her a bath.

Q. A shower bath? A. Yes, sir.

Q. When was that? A. About five or six weeks ago.

Q. Where? A. In the girls' bath room.

Q. Were her clothes on or off? A. Off.

Q. Did you undress her or cause her to undress? A. I caused her to undress.

Q. What had she done? A. She had violated the rules; I do not exactly like to tell what she did.

Q. Is it of a delicate nature? A. Yes, sir.

Q. Did it relate to her person? A. Yes, and to her bed.

Q. Had she soiled the bed? A. Yes, sir.

Q. Was it a warm or cold bath? A. A cold bath.

Q. How long did you keep her in there? A. About half a minute.

Q. Did she cry? A. No, sir.

Q. Did you inflict any other punishment on her? A. No, sir.

Q. Is that the only one you ever punished? A. Yes, sir.

Q. How old is she? A. I believe about fifteen.

Q. Did she give any excuse for the offence that she had been guilty of? A. No, sir, it was a common thing with her.

Q. From weakness? A. The doctor says not.

Q. Have you ever inquired of the doctor the cause of it? A. No, I went to the nurse.

Q. Does the habit continue since the bath? A. No, sir.

Q. Has it ever happened since? A. Once since.

Q. Did you punish her then? A. No, but I threatened her.

Q. Whose duty is it to attend to the general cleanliness of the children? A. Of the small children, Mrs. Queale of the girls, and Miss Mahony the boys.

Q. Who attends to the general cleanliness of the large ones? A. That comes under my charge.

Q. Do you ever call their attention to any want of neatness or cleanliness? A. Yes, sir.

Q. When you find one who is uncleanly, just for the time, do you always require her to go to the wash room to wash? A. Yes, sir.

Q. How is it that some of them have their clothes so much dirtier than others, and that some of them are ragged? A. It is the disposition of some children to get into the dirt more than others.

Q. Do the girls have night dresses to sleep in? A. Yes, sir.

Q. How often do the girls change their undergarments? A. Once a week.

Q. Do they sleep in the same undergarments they wear during the day? A. Yes, sir, I presume they do.

Q. Where do the young ladies dress in the morning? A. They have a dressing room down stairs; there is one dressing room, and a wash-room attached, and the bath-room.

Q. They dress down there? A. Yes.

Q. Put their clothes on at the dormitory? A. Some of them, and some not.

Q. Do they wash themselves before they put on their clothes, or after? A. Some do before, some do not.

Q. Is there any system about that? A. No, sir, they can wash before they dress, or after; there is no rule about it.

Q. They dress in their dormitories, do they not? A. Some do not.

Q. Is there any rule about it? A. No rule.

Q. Can they leave their clothes where they please during the night? A. Yes, sir; a good many of them leave them on the bedsteads, and some of them leave them down stairs.

Q. Do you go round and see that their dresses are properly laid away when they get to bed, or left around just as they take them off? A. They have these iron bedsteads, and they hang them over the foot of the bed; these are the instructions.

Q. As to those who do not take off their clothes in the dormitory, have they any instructions? A. No.

Q. How often do the young ladies change their hose? A. They are required to once a week; most of them change oftener.

Q. Who sees that their hose are darned, and in good condition? A. Miss Cleland; she attends to the girls' clothes, seeing that they are properly attended to.

Q. From your experience in institutions of this kind, can you make any suggestions to the committee that would be of advantage to the pupils, any improvement that you would have made—any improvement in the manner of conducting the institution, or anything that would tend to the comfort and advantage of the pupils? A. I think it would tend to the comfort and advantage of the pupils if we had rooms instead of dormitories for the pupils, so that not so many should sleep in the same room.

Q. The dormitories are damp on rainy days, are they not? A. Not damp, excepting when a very hard rain comes; the girls' dormitory leaks when it is a hard rain, and on the boys' side a very driving storm may make it leak.

Q. During the past winter, have you had any fire in the boys' or the girls' dormitory? A. No, sir.

HENRY H. GREER, sworn:

Q. How long have you been in the business? A. Three years the 25th of March.

Q. Where is your place of business? A. 431 Eighth Avenue.

Q. How long have you been furnishing this institution with articles? A. Ever since I have been there, I think about two years and a half.

Q. Do you furnish on contract? A. No, sir.

Q. What do you furnish? A. Some breakfast meats.

Q. What kind? A. They change off, different meats, beef, pork, (mutton they don't use,) veal and sausage.

Q. Do you understand that you are furnishing these articles for the pupils or for the teachers? A. I never made any inquiries; I don't know who the food is for.

Q. What is the character of the articles? A. Good, the same that I furnish my other customers; the price is a little less than it is to the other customers.

Q. How much less? A. Some at the same price, and some at three to four cents a pound less.

Q. Why do you make that difference? A. We generally make a difference where parties use a great deal of meat.

Q. Because of the quantity or the pieces you give? A. The quantity; they have the same pieces as anybody else.

Q. Do you deliver nice surloin or porter-house steak to this institution, four cents a pound less than to one of your customers? A. Yes, sir.

Q. What quantity do you furnish, and on what days? A. For breakfast, I furnish twenty pounds of whatever they order, sausages, veal cutlets, or beef steaks.

Q. How often do you furnish breakfast meat? A. On Wednesday and Thursday and sometimes on Tuesday.

Q. How much do you furnish for dinner meat? A. Sometimes thirty pounds and sometimes forty; I do not furnish anything but pork for dinner.

Q. Fresh pork? A. Salt, once in a while they take fresh pork instead; we furnish the pork on Thursday morning.

Q. What is the quality of the pork? A. Good, first quality.

Q. Mess pork? A. Yes, sir; I do not keep anything but Orange county pork, when I can get it; when I cannot, I use State pork.

Q. Is it prime, or mess? A. The same as we salt; we salt it ourselves.

Q. Do your own packing? A. Yes.

Q. Do you furnish anything else to the institution? A. Some lard; that is all.

Q. In what quantities do you furnish the lard? A. In such quantities as they want, and when they want it.

Q. Do you give them as good lard as you give any one? A. Yes; we never make but one kind.

Q. Ever had any fault found with the meat you furnished? A. Not to my knowledge.

Q. To whom do you deliver the articles that are brought here? A. I never bring it.

Q. Do you deliver it on a verbal, or written order? A. Written; except when the steward comes down there.

Q. Have you a pass book in which you keep an account with the institution? A. Yes.

Q. How often do you render your bill? A. Every month.

Q. Do you furnish the twenty pounds of meat for breakfast,

every day in the week? A. Sometimes it is two days, and sometimes three days of the week.

Q. Do you ever furnish poultry? A. I have furnished poultry.

Q. How much, and when? A. Only at the holidays.

Q. In what quantities? A. Generally, somewhere in the neighborhood of three hundred pounds.

Q. Is it furnished for all in the institution? A. Yes.

Q. Do you furnish any eggs or fish? A. I do not deal in either.

HENRY S. AMBLER sworn :

Q. What is your position in the institution? A. Steward.

Q. How long have you been steward? A. Since November, 1861.

Q. Did you ever act in that capacity elsewhere? A. No, sir.

Q. Were you connected with the institution before that time? A. No, sir.

Q. Are you a resident of this city? A. Yes.

Q. Were you, at the time you became steward? A. No; I had been, previously.

Q. What was your residence? A. Chatham Four Corners.

Q. By whom was you appointed? A. By the committee of supplies—managers.

Q. What are your duties as steward? A. Purchasing all the supplies and clothing, and having charge of them; I have the distribution of the clothing to the male pupils.

Q. What rules or regulations have you with regard to furnishing food for the institution? A. We have had, for some time, a regular bill of fare established.

Q. Of whom do you purchase your meats? A. Dodge & Varian, and Grebe & Sons.

Q. Your vegetables? A. H. W. Paul.

Q. State in what manner you order the food, and in what quantities? A. The beef we generally buy in sides, ordered every week; corned beef, we buy 130 pounds every Wednesday; pork, weekly; vegetables, we buy as we want them.

Q. In what quantities? A. Two or three barrels of potatoes at a time.

Q. What vegetables? A. Cabbage we get from the farm, most of it; we buy some small vegetables, besides the cabbage—beets and carrots.

Q. What quantities of beets and carrots? A. Perhaps two or three barrels of carrots during the year.

Q. Is the beef delivered by the side? A. It is cut up.

Q. Ready for cooking? A. Yes, sir.

Q. Into what parts is it divided? A. Roasting pieces, stew and soup meats, and some steaks.

Q. Do you give a written or verbal order for the beef? A. A standing order.

Q. Do you receive it in person when it comes here? A. Generally; if I do not, the baker or fireman receives it and weighs it.

Q. How often are you not here to receive it? A. Very seldom—almost always here.

Q. Do you examine the meat and weigh it? A. Yes, generally.

Q. In whose charge do you put it after you receive it? A. In charge of the matron.

Q. Does she hang it up? A. No, the butcher does, or takes it and puts it right into the ice box.

Q. Does he put it in the ice box in the winter also? A. No, sir; a dry cellar with good circulation.

Q. Does the matron deliver it to the cook daily? A. Yes, sir.

Q. What quality is the beef? A. Good quality; it is not what you can call an extra quality, but it is a good quality of beef, as good as you'll find in a majority of the butcher shops.

Q. Do you eat of it yourself? A. Yes, sir.

Q. You live in the institution? A. Yes, sir.

Q. Do you discharge any duties beside those of steward? A. No, sir, except as agent of the manufacturing department.

Q. As to the vegetables used by the institution, who purchases them? A. I generally see and examine them before they are bought.

Q. How do you purchase them; do you purchase them daily?

A. I am daily at the butcher shop on Eighth avenue, to purchase something, or order it; I order all the supplies of the institution.

Q. What kind of supplies do the teachers have different from the pupils? A. They have steak for breakfast, which the pupils do not have.

Q. What becomes of the steaks cut out of the sides of beef?

A. They go to the teacher's table.

Q. Additional to that you order steaks? A. Yes, sir.

Q. You order ham and eggs for the teacher's table? A. Yes, sir.

Q. Have you had any difficulty in getting good potatoes? A. We have had pretty fair potatoes all winter.

Q. Do you arrange with the dealers as to the price to be paid?

A. Yes, sir.

Q. Do you know anything about the price of articles outside of the institution? A. Yes, sir.

Q. Do the prices compare favorably? A. Yes, sir.

Q. How much less are they furnished to the institution for? A. We generally buy at wholesale prices.

Q. What is the price you pay for beef? A. That is averaged for the month; last month it was eleven cents for the side beef.

Q. Do you purchase the teas? A. Yes, sir, of O. H. Gordon, 155 Maiden lane.

Q. What kind of tea do you purchase? A. Oolong—black tea, at 95 cents a pound.

Q. Of whom do you purchase your coffee and cocoa? A. At the Columbia tea and coffee warehouse, corner of Twenty-second street and Eighth avenue.

Q. What quality do you purchase? A. The best they have got.

Q. Is it your rule to buy the best? A. Yes, always.

Q. You are so instructed by whom? A. By the Executive, through the superintendent.

Q. Of whom do you buy your butter? A. Peter Dowie, Eighth avenue, near Twenty-eighth street.

Q. A wholesale dealer? A. Yes.

Q. Have you had difficulty in getting good butter during the last year? A. No, sir; it is now getting pretty scarce though.

Q. In what quantities do you buy your butter? A. Generally get about 250 pounds at a time.

Q. How long does that last? A. Two weeks.

Q. What kind of coffee do you buy? A. Java coffee.

Q. Green? A. In the berry, burned.

Q. You grind it yourself? A. Yes.

Q. Do you buy any raw coffee? A. Yes.

Q. Is the Java coffee for the teachers? A. Pupils and teachers; the teachers have the pure Java coffee, and the pupils have two-thirds Java and one-third rye, mixed.

Q. How many pounds of tea do you use in a week? A. About two pounds a day.

Q. The same on the pupils' and teachers' tables? A. The same, and the same strength, and so with their coffee.

Q. You eat with the teachers? A. Yes, sir.

Q. Do you buy the vinegar? A. Yes, sir, by the barrel.

Q. Pepper and salt? A. Yes, sir.

Q. Any jellies, or anything of the kind? A. No, sir, nothing of the kind used in the house.

Q. Apples? A. Yes, sir.

Q. These are for pies? A. Yes.

Q. For the teachers' tables? A. Yes, sir.

Q. Do you ever furnish the pupils with fruit? A. During the summer with berries sometimes, and sometimes with apples.

Q. How often? A. It depends on the price; last year the price was high, and then but seldom; the year before, often.

Q. Have you heard any complaint from the pupils in regard to their food? A. No, sir.

Q. You say you are agent of the manufacturing department? A. Yes, sir.

Q. Do you keep an account, a regular account with each student, as to his earnings? A. Yes, sir.

Q. The second year they are in the shop they receive one-sixth of what they earn? A. Yes, from the first.

Q. How much do they usually earn during the year? A. Last year it will range from five dollars to one hundred.

Q. Who earned a hundred? A. I do not remember the names.

Q. Do not most of them average under five dollars? A. Not the last year.

Q. One of them had forty-seven cents the first year—how do you account for that? A. He did very little work.

Q. Don't you keep the account? A. Their agent gives the account to me.

Q. Who is agent? A. The foreman of the shop.

Q. You enter the time? A. Yes, sir.

Q. Do you purchase the medicines, the dainties for the sick room? A. Yes, sir, the medicines ordered by the doctor.

Q. Do you keep on hand in the store room, relishes for the sick? A. No, sir; only by order of the physician or the nurse.

Q. Who generally gives the orders? A. Mrs. Queale.

Q. What has been the character of the work in the manufacturing department within the last year? A. Within the last three months it has been pretty good; previous to that, miserable and unsaleable.

Q. Who has charge of it now? Q. Mr. Darrah and Mr. Waterbury; in the mattress shop the work has always been good.

Q. Mr. Darrah is a practical broom-maker? A. No, sir; Mr. Lyons is the practical man.

Q. Were you here when Mr. Martin was here? A. Yes, sir.

Q. At his time, how was the work? A. Very inferior.

Q. Was he a competent teacher? A. Yes, but he was a blind man; it wants a seeing man, to see that the work is done well; a blind man can teach.

Q. Mr. Martin is the principal mat worker, is he? A. Yes, sir.

Q. When was Mr. Martin removed? A. I think the first of January last.

Q. Have not you had complaints in regard to the broom manufactory, by the pupils since? A. Yes, I believe the pupils have made complaints to Mr. Wait.

Q. They were all fond of Mr. Martin? A. Yes.

Q. He was an expert broom maker? A. Yes, sir, pretty good.

Q. Is it true that, when Mr. Martin was here, any considerable quantity of the brooms were found unsaleable? A. Yes; they have been disposed of since, on account of the great scarcity of broom corn.

Q. How long ago was this? A. Along in November and December, I think.

Q. Was a considerable quantity of them unsaleable? A. Yes.

Q. From improper manufacturing? A. Yes; he could make a very good broom himself, but he could not tell whether the boys made them good or not.

Q. You do not make wire brooms? A. All reps. brooms.

Q. When Mr. Martin was in the broom department, was there a good deal of negligence on the part of the pupils because he

could not see? A. Yes, sir; they were apt to play and he would not know anything about it.

Q. Do you have the supplying of the manufacturing department? A. Yes.

Q. Do you keep a good supply of materials in the same department? A. Yes, sir, generally.

Q. At present? A. Yes.

Q. In the broom, the mattress and the mat department? A. Yes.

Q. Who appoints the overseers in these departments? A. The superintendent.

Q. Generally, do more of the boys desire to learn the broom trade than the mat trade? A. I do not know as they do; more of them do lately.

Q. Have they been removed from the mat department? A. Mr. Wait has to do with that.

Q. Have you sufficient stock on hand to keep all the boys employed who require employment? A. Generally, occasionally we run short.

Q. What is the condition of the stock now? A. We have a small stock on hand, but sufficient, in all the departments; of cnyr we have not got much on hand.

Q. You purchase the clothing? A. Yes.

Q. Of whom do you purchase? A. Of Conklin & Baylis.

Q. Are the boys measured? A. Yes, sir, most of the clothing is made to order.

Q. Are they furnished by contract or by individual cases? A. Individual cases.

Q. Do you examine the material before it is made up? A. Yes.

Q. Are they measured here or at the tailor's? A. Here.

Q. How many suits of clothes a year do you give them? A. We generally calculate to give them two, but many get more than that because they destroy them.

Q. One summer and one winter suit? A. Yes.

Q. Do they generally wear the same suit week days and Sundays? A. They generally wear the old suit for every day a short time after they get the new.

Q. Do they manage to wear out a suit of Sunday clothes the same time as a suit of week-day clothes? A. They do not wear Sunday clothes.

Q. Do you buy what is called shoddy for them? A. No, sir.

Q. What did a suit of clothes last year cost? A. Coat, pants and vest about twenty-two dollars; some run over, and some under.

Q. And the summer suit about as much? A. Yes, very nearly as much; we buy linen for only the small boys.

Q. Does this estimate include shirts? A. No, sir, nor stockings, nor boots, nothing but pants, vest and coat.

Q. To the best of your judgment how much does it cost to

economically clothe a pupil here? A. On the average fifty dollars or a little more.

Q. You receive how much? A. Thirty dollars.

Q. To whom do you deliver the clothes? A. To the pupil.

Q. Do you take a receipt for it? A. No, we charge to their account.

Q. Who fixes the price? A. The tailor.

Q. It is a bargain between you and the tailor? A. Yes.

Q. Do you pay the usual price to the tailor? A. We get the articles for less than the regular price, from ten to twenty per cent.

Q. Of whom do you purchase your boots and shoes? A. Of J. T. Whitehouse, 25 Courtlandt street.

Q. How many boots do the boys wear out in a year? A. Some have a pair every month.

Q. Can't you average it? A. Six pairs.

Q. What is the cost of a pair? A. One dollar and thirty-eight cents.

Q. Army shoes? A. No.

Q. How do these boys manage to wear out a pair of shoes every two months? A. The small boys wear out a pair every month.

Q. Is there anything else you have to do with in the institution beside what you have mentioned? A. No, sir, not particularly.

Q. You have enumerated all your duties when Mr. Wait is around? A. Yes, I keep accounts of all the supplies—everything of that kind.

Q. Do you keep an account of the bedding and everything of that kind? A. The matron does that.

Q. Do you furnish the bedding? A. I buy everything.

Q. You are not the general bookkeeper? A. No, Mr. Ogden is.

Q. Is he here all the time, or at stated seasons? A. At stated seasons.

Q. Is anything furnished by contract? A. Milk and ice generally.

Q. How many months in the year do you take ice? A. Nine months last year.

Q. Your coal? A. We generally buy it by the cargo.

Q. How much coal have you consumed, one year with another, since you have been here? A. We consume about two hundred tons a year.

Q. What salary do you receive? A. Sixty dollars a month.

Q. Do you know anything about the cooking of the establishment? A. Something about it.

Q. What is your opinion of the cooking? A. That it is good.

Q. You think that the cooking is as good as the quality of the food? A. It is generally very good; occasionally it happens to be otherwise.

Q. How long have you had the same cook that you have? A. Two years.

Q. The cook male or female? A. Female.

Q. Is the cooking the same for pupils as for teachers? A. Yes, sir; the same rice, the same corned beef, the same hash, the same stew—all boiled together.

Q. What pieces for roasting pieces? A. The ribs.

Q. Sometimes flanks? A. No, sir, never.

Q. What do you do with the rounds? A. Generally use them for steak.

Q. You do not give steak to the children? A. No, sir.

Q. The mutton is eaten by the teachers, is it not? A. Teachers and pupils.

Q. What day of the week do you serve the pupils with mutton?

Q. Very often with a stew on Monday.

Q. Mixed with beef? A. Yes, sir.

Q. Boiled or roast mutton do you ever give them? A. No, the majority do not like mutton.

Q. Were you present when Charles Lewis was struck? A. I was.

Q. What are the circumstances? A. Mr. Wait boxed his ears; hit him once.

Q. What for? A. His manner of speaking to him.

Q. What was the language? A. I don't remember the exact words.

Q. Was it in reply to anything Mr. Wait said? A. Yes, sir; he was talking about some breach of the rule.

Q. Throwing cheese down? A. I think so.

Q. What was his reply to Mr. Wait? A. I don't remember the words, but it was impertinent in manner and matter.

Q. Did he use any profanity? A. No, sir; he was very defiant, and Mr. Wait requested him not to speak in that manner.

Q. In what manner? A. In the disrespectful manner he did.

Q. If it had been spoken to you would you have been offended at it? A. I should.

Q. How do you account, Mr. Ambler, for the uncleanly condition of the water closets, and the general want of cleanliness throughout the establishment? A. The water closets are better now than they have been before since I have been connected with the institution.

Q. How do you account for the uncleanly condition of them? A. I do not call it so uncleanly.

Q. When were you there last? A. Last Wednesday; it is generally cleaned every day.

Q. Who attends to the cleaning of it? A. The fireman.

Q. Who has charge of the fireman? A. The superintendent.

Q. What is the fireman's name? A. William Davis; there is no occasion for it to be uncleanly—there is attention enough paid to it; if it is uncleanly it is the fault of the pupils.

Q. Who has charge of the boys' wash room? A. The fireman, William Davis.

Q. And the bath room? A. He has.

GERTRUDE J. HARDENBURGH *being duly sworn testified as follows:*

Q. What is your position in this institution? A. Assistant matron.

Q. How long have you been in that position? A. Five years last November.

Q. In this institution? A. Yes, sir.

Q. Are you appointed annually, or has there been no re-appointment? A. No re appointment.

Q. You continued as such right along? A. Yes, sir.

Q. By whom were you appointed originally? A. By Mr. Cooper.

Q. How many matrons have there been in this institution since you were first appointed assistant matron? A. Since that time, two, there was another one.

Q. Who was the other one? A. Miss Reid was matron when I first came.

Q. Who was next to her? A. Miss Spaulding, and next to Miss Spaulding came Mrs. Hays.

Q. You have been assistant matron all that time, have you? A. I have been assistant matron four years this winter, I believe; I was here about a year before I was appointed assistant matron.

Q. Do you reside in New York? A. My home is in Shawangunk, Ulster county.

Q. Had you held any position in this institution before that? A. I had been sewing teacher and had taught knitting, as no fancy work was taught at the time except that.

Q. How long had you been in such capacity before you were appointed assistant matron? A. One year—just a year, I think.

Q. What are your duties as assistant matron? A. Various; I have charge of the clothing department, and oversee the fancy work and the sewing department in general, both of the pupils and seamstresses that are employed.

Q. Have you anything to do with the education of the children? A. No, sir, not in the literary department.

Q. What charge do you have of the dormitories or of the dining-room, or any other part of the institution? A. I sleep there and my duty is to see that the pupils behave properly—that they are quiet at half past ten.

Q. Are the lights put out at that hour? A. At 10, or about 10 minutes after, the lights are supposed to be all out around the institution except in the private rooms.

Q. Is it your duty to remain from that hour with the pupils until morning? A. I am usually in the dormitory to go round and see that they are all in bed until half-past 10, and then after that I go to bed anytime I choose.

Q. You sleep in the dormitory with the pupils, or in a room adjoining, which? A. In the dormitory with the young ladies.

Q. What regulations have you, or have you any regulations as to the manner in which the children shall place their clothing,

as to the places where they shall undress, and as to the places where they shall wash in the morning? A. They have a regular dressing room, and they leave a portion of their clothing there.

Q. Where is this dressing room? A. It is down on the lower floor below the dormitories; there are two dormitories, one on the second floor and another above this, and the dressing room is below.

Q. It is on the first floor? A. Yes, sir.

Q. The floor below this? A. Yes, sir.

Q. The dormitories are the first and second floors above the dressing room? A. Yes, sir.

Q. And some of them undress down there? A. They undress partially.

Q. And leave their clothing there? A. Yes, sir, a good part of it, and then pass up into the dormitory.

Q. Why is it that they only partially undress there? A. They are never compelled to; they do as they please about that; there are no regular rules about it.

Q. Who superintends it when it is done? A. I never pretend to know; they do as they please about it.

Q. By what passage way do they pass up to their dormitory after having left a portion of their dress below? A. There is a flight of stairs leading up to the dressing room and another flight above that.

Q. Are they private stairs? A. Yes, sir, separate from the main entrance.

Q. Do you have charge of the napkins and towels, or of the linen for the beds? A. Yes, sir; I have charge of the towels; the napkins don't particularly come under my supervision, nor the table-cloths, after they are washed; they go directly to the dining-room, and the bedding is brought up to my office on Saturdays, and Monday I count it over.

Q. Do you superintend the making of the beds in the morning? A. No, sir; I have at times went in, but not very much; I never have considered it my regular duty, although at times I have gone in.

Q. Are your duties defined by any written rules? No, sir, I don't know that they are.

Q. You obey such instructions as you receive from day to day from the matron, the superintendent, or who? A. If I am in difficulty about anything, I usually go to them for advice; if they have any particular wish, they state it to me; but I have been there for some time, and know my duties.

Q. To whom do you report anything you may find out of order? A. To the superintendent.

Q. Do you report every day, or only occasionally? A. Only when I have any difficulty.

Q. Are your reports in writing, or verbal? A. Usually verbal.

Q. You never report in writing? A. I have at times, being particularly requested by the superintendent to do so.

Q. Under what circumstances was the request made—what was the occasion of it? A. I make a report annually, as to the proficiency of the pupils in the work, etc., and my department generally.

Q. Has the matron herself any charge whatever over the articles that are manufactured? A. She has no charge over the fancy work.

Q. Has she any knowledge of the fancy work? A. No, sir, none whatever.

Q. Or the sewing? A. The sewing; if I need her advice about anything I go to her for it.

Q. What necessity do you ever have for her advice; as to the manner of constructing the articles, or as to the conduct of the scholars? A. The manner of constructing the articles or mending.

Q. Has she a better knowledge upon that subject than you have? A. I think that, being older and having had more experience, she has, and so I go to her.

Q. Do I understand you to say you have charge of the bead work? A. Yes, sir; it is all under my direction; the knitting, bead work, crochet work and sewing, are all under my direction, but I don't teach bead work and knitting; the crochet work I teach particularly.

Q. You understand all these branches? A. Yes, sir.

Q. You are familiar with them? A. Yes, sir, through practice.

Q. Does Mrs. Hays understand them? A. No, sir.

Q. She has no knowledge of them? A. No, sir.

Q. Have you ever heard any complaints on the part of the girls as to the dampness of the dormitories or the beds? A. Yes, sir, I believe I have heard some, but not very much. I know three years ago they leaked from a great snow that was on the roof, but as quickly as possible it was removed; the roof being very old it gets leaking very badly, but it is examined as soon as possible.

Q. Do you know of any instance yourself where beds have been dampened by these leakages? A. I do a few; the beds are removed as quick as possible, just as soon as the matron goes through the dormitories; when they are damp they are hung over the foot of the bed, and we have had them brought into the matron's room; this winter I recollect one particular instance (it was not from leaking but carelessness), the tap was left running and the beds were quite wet, and they were taken into the pupil's sewing room.

Q. How many beds were wet then? A. I don't remember exactly.

Q. It never occurred but once? A. No, sir, but once this winter; they have been damp from the rain.

Q. You reside in this institution? A. Yes, sir.

Q. How many hours in the day do you consider yourself compelled to stay here? A. Some days I am very busy, but from eight to five I consider myself engaged particularly, but I am often engaged after that from press of work, and sometimes I am not so busy in the morning.

Q. What compensation do you receive? A. Twenty dollars a month.

Q. And your board? A. Yes, sir.

Q. Have you any one to assist you in the performance of your duties? A. No, sir.

Q. You have no officer under you? A. No, none nominally; once in a while I call on the lady who has charge of the pupil's sewing; my duties have been changed considerable those years since Miss Spaulding left.

Q. Do you remember food ever having been brought to you when it was bad? A. Yes, sir; I remember one instance just after this trouble commenced that the pork was not good, but as a usual thing it is good; we have the same meat at our table—exactly the same; in this instance Mrs. Hayes and myself were in the kitchen, and we both tasted of it, but we did not observe its being bad; it happened that this piece we tasted was not bad.

Q. Did not Mr. Wait bring it to you? A. I was in the dining room and he was there.

Q. Do you have anything to do with the girls' clothing? A. Yes, sir.

Q. Do you oversee it? A. Yes, sir.

Q. Upon what rule do you give it out? A. If they need anything they come to me and let me know; they have a regular quantity of clothing—a certain number of yards of cotton given them every year, but since it has been so high, we are not able to allow them to have it, and I have given them what clothing they needed; they would let me know and I would make out a list of what each girl needed, and have it cut out and made.

Q. Do you charge it to them? A. Yes, sir.

Q. To whom do you submit the account? A. The steward; I have a book which I keep.

Q. Have you that book here with you? A. Yes, sir; they are in the habit of getting a dress every spring and every fall; I have given them what they really needed and what their bills would allow.

Q. You don't deliver clothing to them to exceed the sum of \$30? A. I am particular, and in a few cases I believe I have overdrawn the bill a little.

Q. Sometimes the girls complain of partiality with reference to giving out their clothing; how is it one has a little better

clothing than another? A. Some take a little better care of it than others; I never intended any partiality whatever; I don't think I have shown any.

Q. Some have a nicer fabric; some have a mushia delaine, and some have a cotton delaine; some have plain cotton, and some have cotton and wool? A. Sometimes they get a little of their clothing from home—a nice dress, or something of that sort; we never pretend to have anything nice; perhaps a respectable looking delaine or something of that sort, and I have given them extra calico dresses which they don't wear every day.

Q. Has there been any improvement in the manufacture of those fancy articles within a short time? A. A very great improvement indeed, for no attention was paid to it particularly until this year.

Q. You mean this calendar year? A. Since Mr. Wait came here; there has been a class originated for fancy work particularly, and there never was one before; I am in that room every afternoon from a quarter of 2 until 5.

Q. What effect does it have upon the children—are they pleased with it? A. Yes, sir, they are very much pleased indeed.

Q. What seems to be their object in doing this work—pass-time, amusement, or with a view of earning their living hereafter?

A. Some do it because they like it, and others because they are anxious to earn something; some could just as well earn considerable for extra clothing, which I should think they would be very anxious to do, but they sit with their hands folded out of school.

Q. Do you allow them pay for this work? A. Not for what they do from a quarter to two till five; they come in there to learn during that time, but after that they can buy material to make articles, and sell them on their own account.

Q. There is no such system there as there is in the broom and mat department? A. No, sir; there is no wages paid them.

Q. How about the cooking? A. I don't oversee it at all.

Q. Are you often in the kitchen? A. No, sir, not often.

Q. Do you often taste of the food which the pupils have? A. We have some of it upon our table; the substantials are the same.

Q. The children don't get steaks, but you do? A. No, sir; they get hash, and pork, and stew, and plain food.

Q. Do you always have pork and beans for dinner on Thursday? A. Yes, sir.

Q. What else do you have with it—mutton? A. I think we have steak usually; I am not sure.

Q. You have the same tea and coffee? A. Yes, sir.

Q. How do you know? A. The matron told me so.

Q. You never tasted it yourself? A. I have tasted it once, and it tasted exactly the same.

Q. How long ago was that? A. A couple of weeks ago.

Q. Do you notice any difference in the cooking now from what it was a year ago? A. Yes, sir; I notice a decided improvement.

Q. How long since you noticed that improvement? A. Since Mrs. Hayes came here.

Q. Who has charge of that department? A. The matron has charge of that department, and formerly we had a housekeeper.

Q. The cook is the same? A. Yes, sir.

Q. Did you ever make any complaint yourself about the food? A. Not to the superintendent; not this year any way.

Q. You never called on the cook to be more particular? A. No, sir, it don't come under my duty.

Q. Did you not, on your own account, scold her one day? A. No, sir, I don't remember of it at all.

Q. Will you bring up that little book you spoke of where you keep your account? A. Yes, sir.

PETER DOWIE, being duly sworn, testified as follows:

Q. What is your business? A. Butter and cheese.

Q. Where is your place of business? A. 364 Eighth avenue.

Q. How long have you been in business for yourself in this location? A. I think it is four years.

Q. Where were you previous to that? A. I was in the Bowery, in the same business.

Q. How long have you furnished this institution with any articles? A. I think during nearly the whole time that I have been in the Eighth avenue.

Q. What do you furnish the institution with? A. I furnish the institution with butter and cheese.

Q. Where do you purchase most of your cheese and butter from? A. I purchase butter from the country sometimes, and I purchase from commission houses, and I select from the market generally.

Q. Do you usually furnish this institution with firkin butter? A. In the winter season I furnish them with firkins and tubs, as the quality suits; in the summer season the butter comes in pails, and I furnish them with pails generally in the summer season.

Q. What is the character of the butter you furnish, A. The best.

Q. Do you furnish it on contract? A. Yes.

Q. You charge them the market price? A. I charge them the same price in furnishing the same article as I furnish the managers of the institution, Mr. Suydam, Mr. Candee, and a number of others of them.

Q. You furnish them the same article and at the same price you furnish your other customers? A. The best article I furnish other customers, and at the same price exactly.

Q. Do you always try the butter before you furnish it, if it is firkin butter? A. Yes, sir, always.

Q. Do you furnish it on a written order or verbally? A. Never; they select their own butter of me.

Q. Who does? A. Lately Mr. Ambler.

Q. How long has he been here? A. I don't know how long he has been here, probably one or two years.

Q. He comes and selects it? A. Yes, sir. Q. And do you then settle upon a price? A. Yes, sir. Q. He asks you what butter is a pound, I suppose, and you furnish it? A. Yes, sir.

Q. About how much butter do you furnish a week? A. I am not exactly able to answer that question; I could by reference to books; I think my bill for the last month was for \$230 or \$250; it has averaged that for some months past.

Q. How many pounds of butter would that be? A. That would probably be six or seven hundred pounds of butter.

Q. In the last month? A. I cannot make a positive statement.

Q. What is the quality of the cheese you furnish them with? A. I furnish them with the finest cheese I can find in the market.

Q. Is it English or imitation English? A. Rich, mild, pleasant tasting Herkimer county cheese.

Q. Is it the same you furnish other people? A. He selects from the best dairy I can find.

Q. How much during the last month has your butter been worth a pound—do you average it by the month? A. No, sir.

Q. Or charge what it is worth the time you sell? A. I charge what it is worth the time he gets it.

Q. What has he paid now? A. He paid 44 cents for the last butter he purchased.

Q. That is about the average during the month? A. No, sir, it has raised from 34 to 44 cents.

Q. Owing not to the difference in the quality of the butter, but the variation in the market price? A. The variation in the market price.

Q. Do you furnish the best butter for 44 cents? A. No, sir.

Q. What was the last butter? A. 44 cents.

Q. Was that the best? A. Yes, sir.

Q. When was that purchased? A. That was purchased in the fore part of last week.

Q. How much is the best butter worth now? A. I could furnish the best butter now for 45 or 46 cents.

Q. Is that fresh pail butter? A. No, sir; that is butter in tubs.

Q. Orange county, or Delaware county? A. I never know what county it comes from; I only judge from the quality of the butter; I think it is Jefferson county butter in Welch tubs; the last was firkin; previous to that, it was Welch tubs; previous to that, it was forty cents, and very fine butter, indeed; Mr. Suydam had the same butter at the same price, and Mr. Reeves, the manager.

Q. How many managers do you furnish with butter? A. I think four or five.

Q. You send them the same quality? A. Mr. Suydam came

to me and inquired for the same butter; he said he liked it, and wanted the same kind.

CASSIUS BOARDMAN, *being duly sworn, testifies as follows:*

Q. What classes do you teach? A. I teach the senior, sub-senior, and junior.

Q. What is the character of your instructions? A. I teach two grammar classes, intellectual philosophy, natural philosophy, and physiology.

Q. How long have you been a teacher in the institution? A. I came in October.

Q. How many hours a day do you devote to teaching? A. From eight to one.

Q. Do you teach in any other institution? A. I do not.

Q. You live in the institution? A. I do.

Q. You eat here? A. I do.

Q. Had you taught in any other institution previous to your teaching here? A. Yes, sir.

Q. What institution? A. The church boarding school, of Connecticut.

Q. At what seminary were you educated? A. First at a private boarding school, and then I was in the Wesleyan university.

Q. Did you pass through it? A. Not through it; I was there two years, and then studied into the junior class, and I studied by myself; I was teaching at the time.

Q. You eat with the teachers do you not? A. Yes, sir.

Q. Do you know anything of the character of the food the pupils have? A. I do not; only by cursory glance I can see it; I always understood it is the same as we had.

Q. Intellectually, how do the blind people compare here with others you have taught in other institutions? A. I think their capacities are equal if not superior with those I have taught, although I did not have a very superior class of pupils where I taught. They were not compelled to get an education, so they did not pay as much attention to it as they ought, but here they have remarkable facility for acquiring knowledge.

Q. When you say "remarkable facility," what do you mean? A. For grasping hold of it; in taking hold of anything and remembering it; I think they remember it more easily for the advantages they enjoy, not having books.

Q. The teaching is oral altogether, is it not? A. Yes, sir, it is.

Q. That, of itself, is calculated to strengthen the memory? A. Yes, sir, I think that improves their memory; they acquire with more facility than the same pupils usually do.

Q. Don't you find that the capacity varies in pupils? A. Yes, sir, very much.

Q. Where you find one that does not learn as rapidly as another, do you pay more attention, or less, to that one? A. Generally pay as much; I have not made much distinction between

the two classes, because there is not so much variety between the two classes.

Q. In relation to your method of instruction : do you in your classes make it a sort of collective business with the class, or do you individualize ? A. Individualize.

Q. You do, necessarily examine in concert more or less ? A. Sometimes, but not very often ; I generally individually take them up on one point.

Q. Do you, in relation to the general examinations, keep a debit and credit of the answers of your pupils ? A. I do not.

Q. You have no particular standard by which you can grade the literary standing of the several scholars ? A. Only from memory.

Q. You could not go to your book and show how each one stands in a literary point of view ? A. No, sir ; but I could from my memory give the general capacity of each pupil.

Q. What department of the study do you teach ? A. Physiology, two grammar classes, intellectual philosophy, natural philosophy, and the science of government.

Q. Which of these departments do you find them more apt in ? A. In the grammar classes and natural philosophy.

Q. They have generally a taste for language, have they not ? A. Yes, sir, they appear to have.

Q. How does intellectual philosophy compare with natural philosophy as to their taste ? A. They do not enjoy the facilities for acquiring it ; it is very hard to acquire it so as to make a good recitation without having books, and they do not have those advantages, and therefore they cannot make a recitation as well as they otherwise would, but where they can get the general laws and look over them, and apply them to individual cases, I find they have those better.

Q. In your department of natural philosophy have you any apparatus of any kind by which, through sensible objects, you can make the object more tangible to them—such as the lever, pulley, wheel, and axe ? A. Yes, sir ; I have all these articles ; I think they lost most of the figures we have been over ; I explain them to them.

Q. The manner of teaching I saw this morning was the usual way, was it not ? A. Yes, sir.

Q. Were those pupils your most advanced pupils ? A. No, sir ; that was the sub-senior class.

Q. In your classes do you have the males and females together ? A. No, sir.

Q. They are separate ? A. Yes, sir.

Q. Who was that female I saw in there this morning, was she a pupil ? A. There were several females.

Q. Then you have them in together ? A. No, sir.

Q. They recite together and occupy the same room ? A. Yes, sir.

Q. What has been your observation in relation to the mental calibre of the two classes? A. It varies in the different classes; for instance, in the senior class the general laws and anything of that kind, where it requires the reasoning powers, I find that the boys are superior; but in other classes where the memory comes into play, there I find the girls are superior, and when we come into the sub-senior class, there I find the girls are superior.

Q. What is taught in the sub-senior class? A. Grammar and physiology; and then in the junior class there is not any perceivable difference.

ANNE ELIZABETH COX being duly sworn testified as follows:

Q. You are a catholic? A. Yes, sir.

Q. How long have you been in this institution? A. Thirteen years.

Q. You were a pupil before you were a teacher? A. Yes, sir, for four years and a few months.

Q. So you have been a teacher how long? A. Going on nine years.

Q. Did you teach the arithmetic class last year? A. Yes, sir, I have taught it for years.

Q. Has there been any change in your classes last year and this? A. No, sir, not within four years.

Q. Then you have not been taken from one class and put down to a lower class? A. Not within that period of time.

Q. You have not been degraded from one class, and put down to a lower class? A. Yes, sir, but not within four or five years, to the best of my opinion.

Q. You have no complaint to make in regard to being degraded? A. Not against the present officers.

Q. This circumstance that Mr. Lawrence refers to was some years ago? A. I think what he referred to was when I was in an arithmetic class the last two years; I have not taught any for myself, but I have taken the teacher's class in case of illness.

Q. What have you been doing? A. I have taught history and geography, and spelling, but I have not been engaged in teaching arithmetic.

Q. When you teach history is it orally? A. Yes, sir; I teach it just the same as you would take and read a lesson off.

Q. But you read it from memory? A. I read it myself; I have my lessons read to me by a seeing teacher, and then I recite them to my class.

Q. Is the seeing teacher present when you recite to your class? A. No, sir, I recite to them from memory.

Q. How often are you read to? A. Once every day.

Q. And then you repeat to your pupils what has been read to you? A. Yes, sir, the following day; I learn my lessons in the morning, and teach them on the morning of the next day.

Q. Who reads to you? A. Miss Hutchins.

Q. Is she a teacher? A. Yes, sir.

Q. Who else does she read to? A. Myself and Miss Moore; I don't know that she does to any one else.

Q. Don't you think history could be taught better by a seeing teacher than by a blind person? A. I think not; I leave that, however, to the superintendent to judge.

Q. Don't you think you could teach better if you could take a book and read yourself? A. I think we teach just as perfect.

Q. Do you remember all the main facts, or the main principal facts? A. I remember all.

Q. Has the food during the last year improved? A. I cannot say that it has.

Q. You live about the same as you did? A. I live about the same; I find no fault.

Q. You eat at the teachers' table? A. Yes, sir.

Q. Where were you educated? A. Part of my education I received at home in my own family; the remainder here.

Q. When did you enter the institution? A. The first day of March, 1851.

Q. You never attended any other school? A. No, sir; before coming to this place my instruction was received in my own family.

Q. Did you have a private teacher at the time, or were you taught by the family? A. By my own brothers.

Q. What you know of history and mathematics you have learned since you came here? A. Yes, sir, except the simple rudiments of history.

Q. The rest you received here? A. Yes, sir.

[The witness stated in reference to the circumstance of her having been degraded from a higher class to a lower class by Superintendent Cooper; that she had previously frequently applied to him to allow her to make application for a salary, which he would not grant, on account of her being a Roman Catholic. She had no charge to bring against the present superintendent.]

MARY KNOWLES being duly sworn, testified as follows:

Q. Were you born blind? A. No, sir, I was not.

Q. What caused you to be blind? A. It is amaurosis, occasioned by neuralgia on the brain.

Q. How long have you been here? A. Nine or ten years.

Q. How long have you been a teacher? A. I taught some during my pupilage.

Q. Do you mean since you graduated? A. Yes; it is about three years.

Q. What classes do you teach? A. I teach the primary, intermediate, junior and sub-junior.

Q. You teach some spelling? A. Yes, sir—object; I teach two classes in object lessons, and I teach some in geography.

Q. What is an object lesson? A. It is a study that has been lately introduced into the classes, and teaches of things in gen-

eral. For instance, I take the cocoa nut and teach where it grows. It commences very simple and grows quite complicated as it goes on. The cocoa nut tree is a native of Brazil, and grows throughout the West Indies. Then the teacher asks if the tree has branches, and asks the pupils to describe its leaves. I then describe the length and breadth of the leaves, the fruit, its shape and the uses it is put to, and all its coverings—the uses of the nut to the natives of the country.

Q. What is the use of the nut to the natives of the country?

A. They eat it for food; they scoop it out before it is matured, and it furnishes a soft kind of food for them.

Q. What other use do they put it to? A. They use it for shells for vessels, and they manufacture cloth out of the trunks of the trees.

Q. Then you teach spelling? A. Yes, sir.

Q. Where were you educated? A. I received my education in this institute; when I was a child I went to a primary school before I lost my sight; I learned to read simple words, but I don't call that anything of an education.

Q. How old were you when you lost your sight? A. When I was about seven or eight years of age.

Q. You have studied considerable in arithmetic? A. Yes, sir.

Q. Do you teach it? A. No, sir.

Q. Reading? A. I don't teach it; I have taught it.

Q. You can read by the raised letters? A. Oh, yes, I can.

Q. How many pupils can read by raised letters in this institution? A. Well, I never enumerated how many, but there are a number, although we have some who lost their sight after they had grown up, and their sense of touch is not sufficiently acute for them to read so readily.

Q. Don't your scholars sometimes annoy you because of your want of sight; are they unruly? A. Not any more than they would be to any teacher.

Q. How do you tell whether they are making fun or not—whether they are attending to their business or not? A. I can tell generally if they are making fun; I can always tell a great deal by sound, and I get accustomed to where the pupils sit, and in that way get accustomed to their position in the room, and then if there is any noise in that part of the room, I can generally hit upon the right pupil instantly.

Q. Their answers are made in concert? A. Not altogether in concert; individually.

Q. Principally so? A. In my class, I let them answer a question individually until they know their lesson perfectly, and then when they know it, I teach them the answer again, so that they keep good order in answering; in the junior class, I have 12 or 13 scholars.

Q. Do you recollect the word which was given out this morning—the word “year”—for a boy to spell? A. I do.

Q. How long had he been trying to spell that word? A. I guess he did not fail in that word this morning; I did not pay much attention.

Q. The same boy who said he could not spell "grease;" how long have you been teaching him to spell? A. This year; this is the highest spelling class; I guess it is not because he had not opportunities enough, but because he cannot remember; some time ago he spelled it "yhar."

Q. How is it that a boy who cannot spell year should get into your spelling class? A. I did not have anything to do with him in his early training.

Q. What syllables do your class spell now? A. French words that I have used a great deal in English and Latin words, constituting a spelling book, which has been used in the school.

Q. What was the mental character of that boy that could not spell "year,"—was he a sharp boy or a dull boy? A. He was exceedingly dull; he thinks he knows a great deal when he does not.

Q. He can spell many more difficult words than the word "year"? A. I have always found him to have a very poor idea of sound, and the simplest words I have given him to spell he always asks me if there are turned letters in them, and then spells it after his own fashion.

Q. Can the boy sing? A. I believe he pretends to do so.

Q. If he does not spell right you correct him, don't you? A. Oh, yes, certainly, it is my office to do so.

Q. Have you noticed in relation to any other words—have you noticed any peculiarity in the boys auditory organs? A. Yes, sir; the word "foolish" was given him to spell, and he spelled it "fullish."

Q. He is not a fair sample of your class? A. Not by any means.

Q. Do you sing and play? A. I play.

Q. Sing, too? A. I did sing considerable, but lately I have had a cold and I have given it up.

Q. You have an appreciable ear for music? A. Yes, sir, I teach it outside in the afternoons.

Q. What do you receive for tuition? A. I receive \$200 a year.

Q. Do you sleep in the Institution? A. No, I live at home.

Q. Board home with your parents? A. Yes, sir.

Q. You eat your meals here? A. I only eat one meal here, my dinner.

Q. Do you walk home from here and back alone? A. No, I have a little sister that comes up to 28th street school, and she puts herself out of the way five streets and comes up here for me, and we go home together.

Q. Do you recollect about a girl by the name of Anna Moore being locked up? A. I do.

Q. What do you know about that case? A. That occurred, I guess, about two years ago, if I remember right, and I taught during the second hour, (about 10 o'clock in the morning,) and there had been a class in the room before, and it was very close; the doors and windows had been closed, and when I went in I told some one to open the windows at the top, and she sat near the window, and she told me she would catch cold, and I told her to change her seat, and she refused to do so; I told her I could not make the whole class suffer for her, and she mimicked me right out in the class, and said "Oh," and what I said, and I reported her to Mr. Babcock, I think; Mr. Rankin was absent at the time, and she was locked up for it, I guess for three-quarters of a day; it was not the entire day, for she had her dinner only in there.

Q. What did she have for her dinner? A. I don't remember; I guess it was four days after she left this lock-up that she had the erysipelas, and she attributed it to the lock-up; I thought it was a scrofulous disease, produced in that way.

CASSIUS BOARDMAN, *recalled*:

Q. From your own observation, what is your opinion in relation to the facilities of seeing and blind instruction in the institution?—what are the disabilities of the blind, if there are any, and what superiority?—how do the two compare?

A. The disabilities they labor under are the want of books, and for that reason they cannot appropriate the time to their lessons that seeing pupils have the opportunity to do.

Q. Are there not many things in which a seeing pupil would have the advantage over the blind tutor in teaching the blind?

A. In teaching some branches he would have the use of his sight to consult plates, &c., but then in abstract studies, where it does not call into requisition any visible object, why then he would have no superiority.

Q. From your knowledge and experience, do you consider the blind teacher as competent for the discharge of her duties as a seeing teacher? A. Yes, sir.

Q. How long have you been here? A. Since October.

Q. Were you ever connected with any institution of this character before? A. No, sir.

Q. Never had any experience in it before? A. No, sir.

Q. I noticed in one of the recitation rooms, this morning, that it was filled with tobacco juice; a blind teacher cannot see to that as well as a seeing teacher? A. They would notice it by the odor, probably, as soon as they would by sight.

Q. They would know who did it? A. No, nor would I.

Q. I saw that your recitation room was cleanly, and when I got in one over here, I found that it was all smeared up with tobacco juice? A. They might take advantage of that, but I don't think it would be very easy for them to do it.

Q. How can a blind teacher tell whether children are listening with proper attention to what he is saying to them? A. I cannot explain that, because there are a great many things that seeing persons cannot understand; as Miss Knowles said, they judge partly by sound, and they know the position of each scholar and by calling upon them to recite frequently, and then they know the dispositions of the different pupils; some pupils you never need to doubt whether they are paying good attention or not, because you can always be certain on that subject, and others are inclined to be roguish and then you pay more particular attention to them.

Q. Then, in abstract, the possession of sight is only relatively an advantage? A. As I said before, it is only in cases where such objects as they could see; they would, of course, have a better idea of them if they could see them, and of course they could make it more apparent to their scholars; and in teaching their classes, I think that the teacher generally could tell whether all were paying attention or not, or nearly all; I don't think they have any trouble on the subject at all.

Q. In relation to how the rooms to which Mr. Fields referred, the lower half of the ceiling, to the base board, was nothing but a smear of tobacco juice? A. That is done during the hours when the teachers are not there; they use that as a sitting room during the hours not occupied by school duties.

Q. Don't the teachers have any oversight in relation to that? A. They cannot be there all the time; it would be very disagreeable for any one to have to be there the whole time.

WILLIAM DAVIS being duly sworn testified as follows:

Q. What are your duties in this institution? A. Attending to fires.

Q. Do you oversee the water closets? A. Yes, sir, sometimes.

Q. Bathroom? A. Yes, sir.

Q. Washroom? A. Yes, sir.

Q. How often are the boys' water closets cleaned? A. Every morning.

Q. By whom? A. By another man and myself; we have it every other week.

Q. You do it one week and he does it the next? A. Yes, sir.

Q. Who commenced to-day? A. I commenced this morning.

Q. Did he do it last week? A. Yes, sir.

Q. What is his name? A. Edward Collins.

Q. You attend to the washroom? A. Yes, sir, I attend to it.

Q. Is the washroom cold or warm in the winter? A. There is a good fire in it in the winter, and it is pretty warm sometimes; sometimes we leave the windows open and the winds come in through it, and then it cannot be very warm.

Q. What are the habits of the boys in the washroom—are they cleanly or do they make a good deal of trouble? A. Sometimes

they hurl the ashes through the house, and sometimes they dump it out.

Q. Sometimes they turn the stove over? A. Dump the fire out, turn the grate out and let the fire out.

Q. How did you clean the waterclosets this morning? A. There is a way for pulling out the sluice and letting it down.

Q. Did you wash it out this morning with a broom? A. Yes, sir, I washed it inside.

Q. Did you wash the seats? A. No, not this morning.

Q. How often do you wash them? A. Mostly twice a week.

Q. How often do you wash out the flagging in front of the waterclosets? A. I swept it this morning.

Q. When will you sweep it again? A. I will sweep it to-morrow morning again; when I see it is not very dirty I don't sweep it.

Q. Do you go there two or three times in the day and see if they are clean? A. Sometimes once, sometimes twice and sometimes three times.

Q. How often have you been there to-day? A. Only once to-day.

Q. And that was this morning? A. Yes sir.

Q. Do you live in the institution? A. No, sir.

Q. Where do you live? A. 33d street.

Q. What time do you come here in the morning? A. 3 o'clock.

Q. How long do you stay? A. Until 6 o'clock.

Q. Then you go away? A. Yes, sir.

Q. And when do you come back again? A. At 3 o'clock in the morning.

Q. What pay do you get? A. 28 dollars a month.

Q. You get your victuals here? A. Yes, sir.

Q. Do your family get their victuals here too? A. No, sir.

Q. Where do you eat—in the kitchen? A. Yes, sir.

Q. At what time do you eat? A. At one o'clock.

Q. You eat the same time as the pupils eat? A. Yes, sir.

Q. You eat the same food they eat? A. Yes, sir.

Q. How is it—pretty good? A. I could put up with it very well.

Q. You consider it very good? A. Yes, sir.

Q. What did you have to-day for dinner? A. We had soup, soup meat and bread.

Q. Any potatoes? A. Yes, sir.

Q. Are you sure you had potatoes? A. I had some.

Q. Hot potatoes? A. Yes, sir.

Q. Do you keep the girls water closet clean too? A. No, sir, I have nothing to do with that.

Q. Do you superintend the boys when they are bathing? A. Yes, sir.

Q. You attend to the water? A. Yes, sir.

Q. What instructions do you have about the water? A. I have

to have a tub of water warm at 6 o'clock in the evening for the boys.

Q. How hot do you have it? A. A little beyond 80 degrees.

Q. Have you got the hydrometer there to tell how hot it is?

A. Yes, sir.

Q. How many tubs of water do you give them? A. Three; they get two in the morning of Saturday.

Q. And how many boys bathe in each tub—how many squads?

A. The first tub is Friday evening.

Q. The teachers bathe in that, do they not? A. I could not tell.

Q. When do you get another tub? A. We let the water off and put on more water for Saturday morning.

Q. When do you fill the tub again? A. We let it off a little after 6 in the morning, and then it is put on for the small boys.

Q. What tub do you mean? A. The boys' bath tub.

Q. Do you clean that out? A. I sweep it out every time I go to fill it.

Q. What do you sweep it out with? A. With the broom.

Q. Did you ever find a rat there? A. No, sir.

Q. How long does it take you to heat it? A. It used to take a good while to heat it until it was cleaned; we can raise heat in 25 minutes, and two heatings will heat a tub; it depends on the draught.

Q. You fill the tub up twice every Saturday? A. Yes, sir.

Q. They all bathe in those two waters? A. Yes, sir, the small boys.

Q. When do the big boys bathe? A. At 6 o'clock on Saturday morning.

[Michael McNeil stated that he had received a letter from his parents on the 12th of January which was dated on the 12th of December previous, and that, when he received it, it had no envelope upon it, but he did not know whether the envelope had been taken off by the teacher or not.]

JACOB EDWARDS, being duly sworn, testifies as follows:

Q. What is your business? A. I am a baker and confectioner.

Q. You are the baker in this institution? A. Yes, sir.

Q. How long have you been so? A. I am baker here one year and ten months.

Q. Who appointed you baker? A. Mr. Rankin.

Q. What is your duty? A. I have to bake the bread that is used in the house.

Q. You take charge of the flour when it comes in? A. Yes, sir, if the flour is not good I have to send it back again.

Q. You judge of the quality of the flour, do you? A. Yes, sir; I have sent, several different times, the flour back again; I don't use bad flour here.

Q. You have sent it back? A. Yes, sir.

Q. How many times? A. I sent four barrels back in September.

Q. What was the matter with it? A. Musty and sour, and not fit to use; I did not use any of it.

Q. What kind of flour do you use? A. We have pretty good second class flour, which will make a pretty good sweet loaf of bread.

Q. What part of the country does it come from? A. One kind comes from Wisconsin, and the other kind of flour, he bought the wheat himself, and had it ground in the New York City mills; so I don't know what kind of wheat it was, but the flour is very good.

Q. How many barrels do you bake in the day? A. Generally one barrel of flour each day.

Q. Do you bake any pies—any pastry? A. No, sir.

Q. Don't they make any pies here at all? A. The cook makes them.

Q. You make no pastry? A. No, sir.

Q. You make no confectionary? A. No, sir; I make some common cake.

Q. Gingerbread? A. Yes, sir.

Q. Do you know Charles G. Otto, a blind pupil here? A. Yes, sir, I do know him.

Q. He comes down in your bake-shop sometimes? A. I have not seen him down there.

Q. Never? A. No, sir.

Q. Where did you see him? A. I know him; he is a German fellow, and I got acquainted with him the first couple of weeks I was here; the blind men made me acquainted with him, so that I could speak to him; he learned me different words of English.

Q. You have seen the meat here sometimes brought in? A. Yes, sir.

Q. What kind of meat is it? A. Beef, sometimes; the beef is very good, and sometimes it looks first rate, but if it is roasted in the oven it is tough.

Q. Did you ever notice that the meat was not sweet—that it was a little spoiled? A. Yes, sir; last summer.

Q. Don't you recollect last February that you told some one that the meat was changed? A. Last February we had pork twice; it was not good.

Q. You eat here in the institution? A. Yes, sir. I board here and live here.

Q. You have your family here? A. I am not married; I am single.

Q. You eat at the table with them? A. I eat at the table with the servants.

Q. And twice last February the pork was not good? A. Yes, sir.

Q. Was it salt pork? A. It was salt pork; it was spoiled before it was pickled; it was so awful salty it could not be eaten—it could not be used.

Q. How do you like the food generally? A. I am very well satisfied with it now—since about last September; since the middle of September I am very well satisfied.

Q. Do you think the cooking is as good as Sayer would cook it? You are not acquainted with him? A. No, sir.

Q. Is it as good cooking as you ever saw? A. It is as good cooking as I ever had in an American place where I was working; there is different cooking in our German kitchens.

Q. You eat the same food that is cooked for the pupils? A. Yes, sir, I guess so; if we don't, I guess that Mrs. Hayes can answer that better.

Q. You sometimes get beef-steak? A. Yes, sir.

Q. Sometimes sausage? A. Yes, sir.

Q. Sometimes veal? A. Yes, sir.

Q. And sometimes mutton? A. Yes, sir; we have the same beef, the same pork, and the same corned beef.

ELLEN PATTERSON, *being duly sworn, testifies as follows* :

Q. You have charge of the girls? A. No, sir, I have charge of the boys; I have charge of the dormitory.

Q. What is your department here? A. In the boys' dormitory.

Q. How long have you had charge of them? A. Three years next May.

Q. Who appointed you? A. Miss Spaulding and Mr. Cooper.

Q. Have you any other business besides that to attend to? A. No, sir; sweeping and cleaning them.

Q. Did you ever discover any dampness there? A. Yes, sir, very often.

Q. Does it come from leakages in the roof? A. Yes, sir; a great deal from the leaking.

Q. You have seen the time when pails were set there to catch the dripping? A. Yes, sir; I have put them there, myself.

Q. When you make up the beds, how long do you air them? A. I generally air them a good while.

Q. After that, they are made up? A. Yes, sir.

Q. You sweep the dormitory out every day? A. Yes, sir, with the exception of Sunday; I don't do so on Sunday.

Q. Do you dust them? A. Yes, sir.

ELIZA LAWLOR, *being duly sworn, testifies as follows* :

Q. You have charge of the girls dormitory? A. Yes, sir.

Q. How long have you had charge of it? A. Six months.

Q. Have you noticed at times that there is dampness in the dormitory? A. Yes, sir.

Q. It comes from leakages in the roof? A. Yes, sir.

Q. It don't come from dampness in the walls? A. Sometimes from leakage in the roof.

Q. Did you ever set pails in your dormitory to catch the water? A. Yes, sir, sometimes.

Q. You make the beds there? A. Yes, sir.

Q. What time in the morning do you make them? A. I generally commence to make them about half-past ten.

Q. Is there no regular hour for you to commence? A. No, sir.

Q. Who gives you the order? A. Mrs. Hayes.

Q. Mrs. Hayes has charge of you? A. Yes, sir.

Q. You air the beds every morning? A. Yes, sir, I strip them every morning.

Q. Do you throw the mattress over the foot of the bed? A. No, sir; I do the two sheets.

Q. Don't you turn the mattress up and let that air too? A. No, sir.

Q. If there are any sheets or pillow cases damp or torn, what do you do? A. I change them every Monday, and during the week I take them down and get clean ones, if they are very dirty.

Q. Do you sweep the dormitory every day? A. No, sir, not every day; I sweep it every other day.

Q. Do you dust it out too? A. Yes, sir.

Q. How often are the windows washed in the dormitory? A. I cannot say.

Q. How often have you washed them since you have been here? A. Once.

Q. Is it your duty to wash them and keep them clean? A. I don't know; I believe it is; I can't say.

Q. You have no charge of the school? A. No, sir; this morning I found nearly a pail of water on the boards.

Q. The girls spilt it? A. Yes, sir.

Q. Do you attend to their bathing? A. Yes, sir, to the childrens' bathing.

Q. How many bathe at once? A. Three in one tub together.

Q. How often do you change the water? A. It is not changed for the small ones; for the big girls it is changed for every one.

Q. How many children do you bathe in one tub of water without changing the water? A. Six, I believe.

Q. Then it is two tubs full; three each tub? A. Yes, sir.

Q. Have you got many small children? A. Quite a good many; I cannot say how many; they bathe every Friday evening and the big girls bathe by themselves.

Q. How many tubs of water do you have for the small children? A. Only one.

Q. Are all the small girls bathed in that? A. All the small children bathe in that; as one comes out another goes in; I mean six in each tub; three come out and three more go in.

Q. And then you change the water? A. No, the water is not changed; the water is left for the middling sized children to come in.

Q. Are there some girls who are not bathed? A. They are all bathed.

Q. Are there only 12 small girls? A. There are more than that, about 25.

Q. How many times do you have the water changed to bathe the small children? A. Only once.

Q. Then you bathe the 25 in the one tub of water? A. No, sir, there are four tubs.

Q. Six in each tub? A. Yes, sir.

Q. Does more than one squad bathe in the one water? A. Two squads.

Q. Three in each? A. Yes, sir.

HUGH F. DARRAH *being duly sworn testified as follows:*

Q. What departments have you charge of in this institution? A. The broom and mat department.

Q. Are you a practical broom maker? A. No, sir.

Q. Are you a practical mat maker? A. I consider I am.

Q. How long have you worked at the trade? A. I have been brought up to it since I have been quite a boy.

Q. Making mats? A. Yes, sir.

Q. Constantly employed? A. I went to school when a boy; since that time I have worked at it; I have been in business with my brother-in-law.

Q. Who assists you in the broom factory? A. Lyndon Lyons.

Q. How many boys do you have in the mat factory? A. When they are all working there, somewhere about 20.

Q. Do you keep any account of the number of boys and the hours they are at work each day? A. No, sir; I keep an account of the number of boys and the amount of work which is done in the week.

Q. But you don't keep an account of the time each day? A. No, sir.

Q. Do you give out their work? A. Well, I arrange it so that I have an assistant in the mat shop, and he gives out the work.

Q. How many pupils have you now at work in the mat shop? A. I don't know.

Q. Do you or not have any rule in your shop for pupils to be there to learn their trade? A. Yes, sir, we have rules, but they have been working so ever since I came here, leaving and going just as they please, so that I could not tell anything about it.

Q. Have you reported to any one the violation of those rules? A. Yes, sir, I have sent a report.

Q. To whom? A. I suppose to the agent, Mr. Wait; I sometimes left them with Lyndon Lyons, and some which I left there personally myself.

Q. On an average, can you tell how many boys are working at the mat trade? A. On an average, there are all that belong to the shop working.

Q. I ask you in regard to one particular shop? A. In the mat shop there are some 18 to 20; sometimes some of them are excused on account of sickness, but on an average, I have used all that have been sent there to work in the mat shop.

Q. How many hours in the day do they work? A. Prayers are at 8, and they are expected to come to the mat shop immediately after, and work until a quarter of one, and then go to dinner, and come back at a quarter to two, and work until five; only the boys who are on their last year work the whole day.

Q. Those who spend some time in the literary department, how many hours in the day do they work? A. Three hours a day.

Q. Divided through the day? A. Three hours in the afternoon.

Q. How long have you been overseer? A. Three months the 11th of this month.

Q. How is the shop—is it damp, or dry and healthy? A. The shop appears to be healthy enough at present; there were days when I first went there that were pretty cold; the walls were almost too cold for any one to work, even when we had a fire, but they were always excused from work on those days.

Q. How many boys are working in the mattress factory? A. That, sir, I do not know; I have nothing to do with that.

Q. How many in the broom factory? A. About the same number; there are rather more in the broom shop at the present time—(referring to memorandum)—there are 20 in the broom shop, and in the mat shop now there are only 14; two or three have left.

Q. Are you always supplied with materials sufficient to work with in both shops? A. I have never been out of materials since I have been there; we have not had that kind of material that we could work well to advantage; the boys could do well if they had a variety of stock, but there has not been a time when there was not some stock on hand.

Q. What is the character of the work in the mat shop—is it saleable? A. Since I have been there I consider it so.

Q. It has been saleable? A. I should think so; it has been admitted to be so by gentlemen who have come here, dealers, that wished to contract for all the work that we could do in a year, just as many as we could make; and there has been a man (I don't know but two, one, I am certain,) who would not buy the other mats at any price—those which were made previous to my coming here.

Q. They were superintended by a blind man? A. They might have been.

Q. How much, on an average, would the boys earn a month?
A. That is a thing I could not tell.

Q. Take your best boy, the one furthest advanced in mat-making? A. He would probably make, as far as I could say now, about twelve dollars a month; that is the best, as they have been working now, but I don't pretend to say that they have been working as they ought to; they might do more.

Q. Have you regular rules for them in the shop? A. Yes, sir, I have rules as to their work.

Q. How often do you read them to them? A. I have no regular rules written out; any time I see they are going from any instructions I have given them, I tell them about it.

Q. Do the boys seem to be desirous of learning the trade? A. No, sir, not since I have been, they do not.

Q. Negligent? A. Yes, sir.

Q. In both shops? A. In both shops, but more so in the broom shop.

Q. Do the boys seem to be satisfied in the mat shop? A. They have lately, but when I first came here they did not seem to be; it seemed as though they were rather opposed to me when I first came here; I found the shops in great confusion.

Q. Do you eat here? A. I do not.

Q. Do you sleep here? A. No, sir.

Q. What time do you come here in the morning? A. Eight o'clock.

Q. What time do you leave in the afternoon? A. From half past five to six; about six o'clock, generally.

Q. Do you receive a salary? A. Yes, sir.

Q. You have no profit on the sale of the goods? A. No, sir, I have merely to superintend the work.

Q. From your knowledge of the business, do you suppose a blind person is equally capable with one that can see, to superintend a shop of that kind? A. I think not; when I first came to that shop, the boys seemed to be very much opposed to me; and when I was commencing with them, not knowing how the boys were in the habit of working, I don't know exactly how they did work; I put them to work in the different looms and attempted to keep them going, and when the work got a warp off the loom, if I told them to go at any other part of the work, they would raise an objection against it; they thought they would be kept at that particular work all the time, but it was an impossibility for them to be; the other work must be done as well as that; and at the first, when I was trying to carry out the instructions given me by Mr. Wait, one of the boys gave me considerable impudence.

Q. Who appointed you as superintendent? A. Mr. Wait.

Q. Do you know Mr. Martin? A. No, sir; have seen him once or twice, I believe, I was introduced to him.

Q. Did you make application to Mr. Wait, for the appointment?

A. Yes, sir, I was recommended to him; Mr. Wait had made application to a certain place, and the gentleman he was speaking to, sent me here.

Q. You have no acquaintance with Mr. Wait? A. No, sir.

Q. He was a stranger to you? A. Yes, sir; I came from Boston, and had been here only about three weeks.

FREDERICK OGDEN, being duly sworn, testified as follows:

Q. You are book-keeper of this Institution? A. Yes, sir, since last May.

Q. You were formerly employed in that capacity in this Institution? A. I was never employed in this Institution before.

Q. [Handing two papers to witness.] Those two papers to be submitted to you, containing your signature—are they true and correct abstracts from the accounts of the institution? A. They are, with a little difference here—those memorandums.

Q. Those are true and correct abstracts from the book? A. Yes, sir.

Q. Are you a proficient accountant—an expert at figures? A. Yes, sir.

Q. How long have you been a book-keeper? A. Ten years.

Q. Are the books of this institution kept in the usual manner of keeping accounts for such institutions? A. Yes, sir; kept by double entry.

Q. Do you have any other duties to perform besides being book-keeper? A. No, other.

Q. Does it occupy all your time? A. Not this institution; I am book-keeper elsewhere.

Q. From what data do you make your entries? A. The payments I make from the bills.

Q. The bills are handed to you by the superintendent? A. Or steward, audited by the finance committee before they come to me; from that I draw checks and the treasurer signs them.

Q. How did those mistakes occur—you cannot explain them? A. Mr. Tompkins and I together made a rough statement, and in coming to verify them we found that difference.

Q. When was this statement originally prepared? A. About the 10th of January.

Q. It was prepared for the use of the executive committee and with the aid of the executive committee? A. Yes, sir.

MARY MOORE *being duly sworn testifies as follows:*

Q. You are a teacher are you not? A. Yes sir.

Q. How long have you been a teacher in this institution? A. Nine years last fall.

Q. How long were you a pupil? A. Seven years.

Q. During most of that time in whose class were you—who was your principal teacher? A. I think I was in Mr. Babcock's class as long as any.

Q. Were you in Mr. Wait's? A. Yes, sir.

Q. In regard to Mr. Babcock, how was his manner, kind or otherwise? A. It was kind.

Q. Do you consider him competent to teach? A. Perfectly so.

Q. How as to Mr. Wait; what was his conduct? A. Always very kind.

Q. Did Mr. Babcock seem to take an interest in his pupils in his class? A. Very much so; I am at present in Mr. Babcock's class.

Q. Have you ever known Mr. Babcock to show partiality to any one pupil in the class? A. No, sir, I never knew him to show partiality; I never knew him to show unkindness while I was in his class, and I was in his class six or seven years and am still in his class.

Q. Where are you from? A. Catskill.

Q. During class hours are you always in your class? A. Yes, sir, I suppose I have been called out occasionally for a few minutes; I have no recollection of any particular instance.

Q. Have you ever been called out and remained out an hour? A. No, sir.

Q. Have you ever taken music lessons during your class hour? A. Never; I took one music lesson but that comes in the afternoon.

Q. Have you ever been in the sitting room and been read to during class hours? A. Never.

Q. Are you in the habit of leaving your class in the charge of a pupil? A. I never did such a thing during the whole term; I have been absent but three days this term, and that has been from sickness.

Q. What hours in the day are your classes? A. One commences 16 minutes to 9; one commences 28 minutes of 10, and the other commences 32 minutes past 10; I don't recollect exactly what time the fourth is; the fourth commences at half past 11.

Q. The bell rings? A. Yes, sir.

Q. Are you there promptly at the time? A. Yes, sir, except unavoidably detained.

Q. Are you often so? A. No, sir.

Q. And remain there until class hours are over? A. Yes, sir.

Q. Do you ever designate a scholar in your class to conduct the examination of the class? A. No, sir.

Q. Never in a single instance? A. There was one day that I was out, and I was detained rather longer than I expected to be, and when I came in I found that Peter Ward had the class, whether he was appointed or not, I don't know; he was not appointed by me, and that is the only instance.

Q. Did you ever, while you remained in the room, allow a scholar of your class to put the questions to the other scholars? A. No, sir, I have no recollection of it; even if I did, if I con-

sidered them competent, I should not consider the class injured any.

Q. When you were a member of a class have you not often taken the class in the presence of the teacher? A. I often took a class in logic when I was a member of it, and I did take it when I was a member of our class.

Q. In your teaching you don't follow the object system? A. No, sir.

Q. Do you consider that method of teaching a bad one? A. I do not; I consider it very good; that is the way I first learned to teach myself, and I consider it a very good one.

MARY KNOWLES *recalled* :

Q. Were you a pupil under Mr. Babcock? A. I was.

Q. For how long? A. Five or six years.

Q. And under Mr. Wait also? A. Yes, sir.

Q. In regard to Mr. Babcock, what was his conduct and treatment of you during that time? A. Very kind always; his treatment of me was very kind.

Q. The same with Mr. Wait? A. Yes, sir.

Q. Did they have an interest in your advancement, or seem to? A. Yes, sir.

Q. Have you anything to complain of, or do you remember anything during that time? A. I do not remember anything to complain of.

Q. During the whole 5 or 6 years? A. No, sir.

Q. Mr. Babcock, in his language, was he mild and pleasant? A. Yes, sir; mild and pleasant; sometimes his manner would be animated, but that showed only his interest in the teaching.

Q. Did you ever know Mr. Babcock to neglect an individual pupil, or show partiality to anyone? A. No, sir; I never remember such a thing.

Q. Did you ever hear any complaint made by anyone against Mr. Babcock—did you ever hear any of the pupils complain of him? A. No, sir; I never did, only some would say that they thought he was harsh, but they attributed that to his animated way of teaching.

Q. How often have you heard the pupils complain of his conduct, or of his animated way of teaching? A. Not often; I don't know how often.

Q. How recent? A. Well, lately I have heard it talked of.

Q. What did he say? A. Well, something to the effect of his clapping his hands and frightening them.

Q. Anything else? A. No, sir.

Q. Did you ever hear of Mr. Babcock whipping a boy? A. I heard something of it some years ago.

Q. Did you ever hear of his putting a scholar in the dungeon, as it is called, or the lock-up? A. Yes, sir, in one or two cases.

Q. Did not the pupils complain of that at the time? A. They did not like it very well to be put in there.

Q. It is natural for them to complain of the like? A. Yes, sir.

Q. Did Mr. Babcock ever spend any more time with you when he was your teacher than he did with the other scholars? A. No, sir, he paid no more attention to me than to any other scholar.

Q. Did you not discover any partiality by him to any scholar? A. No, sir.

Q. Never heard any complaint of it? A. No, sir.

Q. Was it his habit to spend most time with his smallest pupils or with those who were most deficient? A. I think it was with those who were most deficient.

Q. I thought you said there was no difference in the time he spent with his pupils? A. Those who were stupid required more attention.

Miss MURPHY being duly sworn testifies as follows:

Q. You have heard the testimony of these two young ladies? A. Yes, sir.

Q. Is their statement correct? A. As far as I know, it is.

Q. As far as your own experience is concerned? A. Yes, sir.

Q. Were you a pupil of Mr. Babcock's? A. Yes, sir.

Q. And you corroborate these statements in regard to his class and the interest he felt in them? A. Yes, sir, as far as I can judge.

Q. How far does your experience apply—how long have you been a scholar under Mr. Babcock? A. As near as I can recollect, I think I was a scholar under Mr. Babcock between 5 and 6 years.

Q. And during that time you found him uniformly kind and pleasant? A. I did.

Q. Do you know or have you heard any of those complaints which have been made against Mr. Babcock? A. I have heard a great many things said among the pupils; they never have been made to me against him; I heard of them among the pupils; for I cannot avoid hearing everything that is said.

Q. How long have you been a teacher? A. I will be a teacher three years next fall.

Q. Have you ever punished a scholar? A. Yes, sir, when they deserved it.

Q. What punishment did you inflict? A. I have stood them out of the room; I have sent them to the office, and told them to stay there until I told them to leave, and have sent them to bed.

Q. Without their supper? A. No, sir; I reported a pupil to Mr. Rankin, and he gave me the key of the lock-up, and told me to put the pupil there, and I kept her there.

Q. How long ago was that? A. I think about two years ago.

Q. What pupil was that? A. Harriet Howard.

Q. Did you know of Mr. Babcock's volunteering to teach his class fifteen minutes a day longer last year than what the other classes were taught? A. I am not in his class this year.

Q. Last year? A. Last year, in the geometry class, he volunteered to teach his class from the time the bell rung for the school to class until the dinner bell rung; and I think that was about fifteen minutes extra time.

Q. Do you discover now any difference in the substantial part of your food from what it was when you were a scholar? A. I don't know anything about the pupils' food, only what I hear them say.

Q. The roast beef and mutton, do you have the same now as you had when a pupil? A. I never eat roast beef or mutton; sometimes I have taken it, and as far as I could discover I think it is about the same quality as I used to have, and cooked about the same; I never eat them because I do not like them.

Mr. Canfield corroborated the statement of previous witnesses.

Mr. COLLINS, *re-called* :

Mr. Babcock has been my teacher for two and a half years, and it is in my power to give you, as having been shown during that time, several instances of the most extreme patience on Mr. Babcock's part towards other pupils, not myself at all. I tried to trouble him as little as possible myself. There was an instance here about a week or two ago where Mr. Beattie, (he is in the same class that I am), and in teaching him to find the greatest common measure of two or more numbers; he commenced and taught him after the rest of us learned it, and I should like to say in a rough guess he must have repeated it over forty times to him, and it was evident to me and the rest of the class that he could have learned it as soon as the rest of the class if he tried, and Mr. Babcock repeated it over to him with as much patience and energy as would have done comfort to Job.

Q. What position do you hold in this institution? A. I am a pupil.

Q. Do you expect to become a teacher? A. No, I would not like to be a teacher here; I would not like to be subject to the drudgery which the pupils have given to the teachers; I have attended schools before I came here, and know how teachers teach the pupils, and the teachers here have shown the greatest amount of energy I have seen in any school.

Q. You can see a little, can you not? A. Yes, sir.

Q. Did you ever make any complaint about your food? A. I never made any complaint whatever while Mr. Rankin was here, but when Mr. Wait came here I was asked about the food, and I told him that on certain days when we have fresh meat here it was as good as any meat that could be got.

Q. Did you ever make any complaint about the meat? A. I said that the pork was bad.

Q. Was that so? A. I didn't like it, and strong cheese I don't like; I told them that was bad.

Q. Did you not testify before the committee that the food was

good and satisfactory? A. I did; I said it was as good as I got at home—good, substantial food.

Q. How long since you have had your pass taken off from the hook? A. I have had it taken off, I think, about four years ago.

Q. How long was it off? A. It was off, to my knowledge about ten minutes.

Q. Why was it taken off? A. You are aware that the pupils go out every day; on Saturday Mr. Wait discovered that I was out oftener than I had permission to go, and my pass was taken off the hook.

Q. Why did he reinstate it? A. I showed Wait that I had been out with one of the teachers who was blind, to assist him, with what eyesight I had, in walking, and then he reinstated my pass.

Q. How long before that was your pass taken off? A. I think while Mr. Rankin was here.

Q. Since Mr. Wait was here? A. Never before.

Q. Was it during Mr. Wait's time, or Mr. Rankin's time, that you talked with Mary Donnelly? A. During Mr. Wait's time.

Q. Did not Mr. Wait know the fact that you talked with Mary? A. No, sir; I don't think any of the teachers knew it.

Q. That was a violation of the rules, was it not? A. Yes, sir, literally it would be a violation of the rules.

CLEMENT T. HAGAR, sworn:

Q. Are you a pupil of Mr. Babcock's? A. I was in his class, I believe, about four years.

Q. What have you to say as to his mode of teaching, deportment, temper and disposition in his class? A. They have always been very kind, and I always considered him perfectly competent.

Q. As to the attention he paid his class? A. He always paid them all the attention that any one possibly could.

Q. Always prompt at recitation hours? A. Always prompt.

Q. Your study and recitation are the same thing? A. Yes, sir.

Q. At the same time? A. Yes, sir.

Q. Did you ever notice any partiality, or hear of any, that Mr. Babcock paid to different pupils? A. I never noticed it myself, but I have heard others speak of it.

Q. Have you heard boys speak of Alfred Collins, that he was a favorite? A. I have heard others speak of it a great many times, but never noticed it myself; I have heard them say he was a great favorite among the officers.

Mr. TUCKERMAN, of the board of managers, being present, asked the witness if he heard him (Tuckerman) reprimand Alfred Collins in the chapel. Witness stated in answer that he did at the examination one day in public; that he was sent from the chapel to the lower office; that the cause of the reprimand was some disturbance in the chapel; that Mr. Wait spoke of it, and

it occurred again, and it was found to be from Alfred Collins; it was about some noise with the feet, witness believes; the reprimand was not given by mistake.

Q. Where is this professor of music? A. He is not in the house to day.

Q. Were you present when Mr. Wait was appointed superintendent, and when Mr. Thomas examined the pupils to ascertain their capacity for learning music? A. I was present part of the time.

Q. Was not a great number of girls taken from the piano? A. Yes, sir, a number of girls, and also a number of boys.

Q. Why did they lose their music time? A. It was found that they did not have the talent to learn music.

Q. Who judged of that and decided it? A. Mr. Thomas.

R. Did he give each one a trial? A. Yes, sir.

Q. More than one trial? A. I am not certain whether he did or not.

Q. How long were they conducting that examination? A. I do not remember how many days; two days, to the best of my recollection.

Q. Do you remember Mary Jane Dunn? A. Yes, sir.

Q. Do you remember when she took music lessons? A. Not particularly.

Q. Did you know that she lost her piano time? A. No, sir, I did not.

Q. Does she take music lessons now? A. I do not know.

Q. Who teaches the other music classes? A. I teach a class of boys.

Q. Who teaches the girls? A. Mr. Thomas teaches some of the ladies, and Miss Duffy; Miss Wright and Miss Connell also teach.

AMELIA WRIGHT sworn:

Q. Are you connected with this institution? A. I am.

Q. In what capacity? A. Teacher of music.

Q. Female department? A. No, sir, teaching small male pupils.

Q. How long have you been here teaching music? A. I have been in the establishment about two years and a half.

Q. Teaching music all the time? A. No, sir; I have taught music about a year and a half.

Q. Previous to that what did you do? A. I copied for Mr. Rankin, and read the lessons to the blind teachers.

Q. Did you receive a musical education? A. Yes, sir.

Q. Do you know Mary Jane Dunn? A. I know she is a pupil in the house.

Q. Is she a pupil of yours? A. No, sir.

Q. After Mr. Wait was appointed superintendent were a good many deprived of their music? A. There were.

Q. Why? A. Because they were not considered competent to learn; it was thought that the study of something else might be of more advantage to them.

Q. Was that your judgment? A. They were not taken off because I requested them to be, but I gave it as my judgment as a teacher of music when they came under my instruction.

Q. Founded on your knowledge gained from being a teacher? A. Yes, sir.

Q. You found they had'nt the capacity to learn it? A. Yes, sir.

Q. Is that the general principle upon which a pupil is removed? A. Yes, sir.

Q. Has any person removed a girl and then given her a chance to make another effort? A. Yes; some have had a trial for eight years.

Q. Is it, or not, the general impression or belief on the part of the blind here, that they can every one of them learn music?

A. They think that if they cannot do anything else they can become music teachers.

WILLIAM HYDE sworn:

Q. What is the matter with the roof? why can't you make it tight? A. It is as good as it has been for the last ten years; you cannot find two roofs out of ten in the city that wont leak once in a while.

Q. You do not mean to say that this has leaked for the past ten years as it does now? A. All houses do.

Q. How long have you been connected with the institution? A. Since 1854.

Q. That is the only reason you can give for the leakage of your roof, that other houses do? A. Wear and tear will cause it, and old age.

Q. Cannot a house be made tight so that it wont leak at all? A. We have done all that we could do to make it tight.

Q. When did you last try to make it tight? A. It has been coated over and thoroughly overhauled last winter two years.

Q. Has'nt anything been done to it since then? A. Yes, sir; the man that is employed on it has a contract to keep it in repair for three years, and that contract has not run out yet.

Q. What does he cover it with? A. The last that he put on was a patent preparation.

Q. As he has this contract you don't have anything to do with it? A. If it is anything that I can do I generally attend to it.

Q. You cannot repair a tin roof? A. No, sir; we used paint skins.

Q. Have you employed any paint skins to stop the holes? A. Yes, sir.

Q. How many holes have you applied them to? A. A good many.

Q. When was your attention last called to the house leaking? A. Not since that.

Q. Do you know how much time has been spent on the building during the last year? A. I do not know, sir.

Q. Have you been busy all the time keeping it in repair? A. Yes, sir.

Q. How much do you think it costs to keep this building in repair? A. I do not know, the report will tell.

Q. Have you any idea how much it costs? A. No, sir; no more than what I see in the report.

Q. You do the repairs and ought to know? A. I keep no account; I am employed by the month.

Q. What do you get a month? A. Eighteen shillings a day.

Q. You get that all the year round, work or no work? A. I get more than I can attend to; they call me carpenter, but I have seen to the water closets, and from that gone to repairing clocks.

Q. You are not a carpenter by trade? A. Yes, sir.

Q. House carpenter? A. Yes, but I have got to do everything.

Q. When a leak occurs in the roof is it generally immediately noticed by the man who has the charge of such things? A. As soon as a leak appears, it is attended to; there is a leak now that has been reported to him, and the reason it has not been to is, that the man is sick who has the contract; that is the reason, or it would have been attended to before this.

Q. What is the character of the present leak? A. It is not a very bad one.

Q. It is from decay? A. Yes, sir.

Q. It needs a new roof, don't it? A. I should say it did, to make it a good job.

Q. Is there descent or inclination enough to the gutters? A. The gutters never have been big enough for this roof; that could not be avoided unless there were new gutters put up.

AUGUSTUS SCHELL, sworn:

I am president of this Institution, and have been since the first meeting of the board of managers, in January of this year, at which meeting I was elected; I have been connected with the Institution, as manager, since the year 1848, and have visited it frequently, from that time to the present; during the last year, the Institution has been under the special management, each month, of a committee known as the Executive Committee, consisting of four members of the board of managers, who, together with the president and treasurer for the time being, constitute the committee; that committee has been in the habit of meeting at the Institution once in each week, and have had the superintendence of the supplies which are furnished the Institution, of the financial department of the Institution; and have examined the building as to its condition, examined the culinary department, visited the school-rooms and workshops, and generally looked after the condition of the pupils; I, myself, being treasurer of the Institution during that year; attended most of the meetings of the committee; I have frequently attended during

this year, the meetings of this committee, which committee has had the same care and control of the Institution; during all this time, the pupils seemed happy and contented; as far as my knowledge extends, no complaint has been made by the pupils of want of care or want of attention on the part of the teachers, or any deficiency in the food provided for the table, until about the time this memorial was sent to the Legislature; the management of the Institution, under the executive committee, seems to have called forth more attention from the managers than the previous mode of managing the Institution, which was by standing committees on special subjects; all the managers of the Institution have for the last year filled their appointments on the committee with great punctuality, and have all shown great interest in the care of the pupils. Frequent visits to the class-room, by myself and members of the executive committee, have induced the managers to suppose that the teachers were attentive and faithful in the discharge of their duties, and that the progress of the pupils was very satisfactory. Mr. Rankin, the late superintendent of the institution, resigned during the last year, and Mr. Wait, who had formerly been connected with the institution as a teacher, but who, subsequently, was superintendent of common schools in Ulster county, was called to fill his place as superintendent, and has had charge of the institution, as superintendent, since last fall; and I can state that no complaint, to my knowledge, has been made of Mr. Wait, by the pupils, of his character, or want of capacity and ability to conduct the institution, either in respect to its literary or its governmental departments; that most of the teachers in the institution have been here many years, and in all respects have discharged their duties faithfully, and to the entire satisfaction of the board of managers; that in regard to this complaint that has been made, no intimation of the kind was given to the managers until about the time it was sent to the Legislature; that at that time, an intimation having been given to the executive committee that secret meetings were being held by the elder boys in the institution, the committee made an effort to discover what the object of these meetings was—and then the committee learned that some papers had been sent to Albany, and subsequently a petition or complaint, to the same general purport, was made to the board of managers; that the executive committee examined into the complaint which had been made, and that the committee,—consisting of four members of the board, I understood,—made a careful investigation into the matters referred to them, and reported to the board that the same was entirely without cause. The managers have always been accessible to the pupils; they have devoted much time and attention to their care, and are very ready to listen to their complaints, and redress their wrongs if there be any; most of the gentlemen who are managers, have been connected with the institution in that capacity for periods ranging from one to ten and twelve

years, and, as far as I know, they have endeavored to give to this unfortunate class of children all the aid and instruction that it was possible to give them, to fit them for useful and active employment hereafter; and they have endeavored to make their residence in the institution as pleasant as possible, and the cheerfulness which generally marked their associations with the pupils, has led us to believe that they were profiting by the instructions that they received and the attention which was paid them.

Q. Have you any contract or agreement with the State, in relation to the State pupils who may be sent here? is there any contract outside of the law? A. No, sir; we are authorized by law to receive a certain number of pupils under the direction of the Superintendent of Public Instruction.

Q. You have stated the manner in which the executive committee are appointed, and how many are appointed, and their duties? A. I have stated the fact, that during the last year the executive committee has been in active and constant attendance upon the institution, and I have given the number of which the committee consisted.

Q. And the other proceedings as they take place have been recorded in their minutes, and are open to inspection? A. The executive committee, in the discharge of its duties, receive from the superintendent, each week, a requisition of the necessary supplies for the following week, which is passed upon, and authorized, if proper, by the executive committee; and all purchases for the institution are made under the direction, from time to time of the executive committee; that all bills for supplies or articles of any kind furnished to the institution are examined and passed upon before payment by the executive committee, and all the proceedings of the executive committee are recorded in their book of minutes, which, at each meeting of the board of managers, is produced and read before the board, and acted upon by them. All bills, after being examined by the executive committee, are certified to by the chairman of the committee, and then paid by the treasurer; an accountant is employed who keeps a full, true and accurate account of all moneys which are received by the institution, and all moneys which are paid out; that these books of accounts are open for inspection at all times to the managers of the institution; that in regard to the financial department of the institution the greatest economy has been practiced, with the object of limiting the expenses within the appropriations that are made by the State for the support of the pupils; that for the last year, and for years previous, the amount appropriated by the State for the support of the pupils has not been sufficient to pay the necessary liabilities incurred for the support and education of the pupils kept by the State in the institution; that the amount received from the State on the appropriation in the year 1863 was \$27,958.24; the amount expended for the support and education of pupils was \$32,990.30, showing a deficiency of \$5,032.06 in that

appropriation for the support and education of the State pupils for that year; in addition to this, the institution is entitled to receive from the counties thirty dollars for each pupil for the clothing furnished them; that that amount for the year 1863 was \$3,922.50, part of which remains unpaid, while the amount actually expended by the institution for clothing was \$6,654.50, showing a deficiency of \$2,732; making the whole deficiency for the support, education and clothing of the pupils at the end of the year 1863 \$7,764.06; that this excess of expenditure over the receipts is entirely exclusive of the fair annual value of the buildings occupied by the institution; that on this property there are outstanding mortgages, and the institution has a floating debt, on all of which interest to the amount of nine and ten thousand dollars was paid during the year. The supplies, which are furnished the institution, are, as the managers believe, procured from dealers of the highest respectability in their departments, and every effort has been made to furnish the pupils good, wholesome food, and to furnish them with good and proper clothing; that the pupils are furnished with best of medical attendance, and that their general health is good.

JANE CARROLL, *being duly sworn, testified:*

Q. Are you a cook? A. Yes, sir.

Q. How long have you been in this institution? A. Three years the 1st of May next.

Q. Where did you cook before you came here? A. I didn't cook anywhere.

Q. What did you do before you came here? A. I did chamber work; I didn't come here as cook; I came here as laundress first.

Q. Who taught you to cook? A. Mrs. Rankin.

Q. Then she took you from the laundry and put you into the kitchen? A. I was a plain washer first, and when Mrs. Rankin came here she took me on to wash and iron; and they went into the country the summer following, and I went along with them and was two summers in the country with them, and when I came home they could not get any cook to suit at all that could get along in the kitchen, for every one was finding fault, and Mr. Rankin put me in there until he could get suited in a cook, and I have stayed there ever since.

Q. How many persons did you have to help you? A. One girl and myself.

Q. How many do you cook for? A. Every one in the house.

Q. Do you cook for the students, pupils, and teachers, and for Mr. Wait's family? A. Yes, sir.

Q. You call yourself a plain cook? A. Yes, sir; Mrs. Rankin's recommendation is down in my trunk.

Q. Do you have good meat to cook? A. Yes, sir.

Q. Good fish? A. Yes, sir.

Q. Good vegetables? A. Yes, sir.

Q. How long do you boil your cabbage? A. I used to steam it first, but they didn't like it; now I cook it on the range; I boil it first.

Q. How long? A. From ten until half-past twelve.

Q. What do you boil with it? A. Nothing at all, but what comes out of the corned beef.

Q. Do you first boil it with corned beef? A. No, sir, it has not been done so since I came to the institution; we put the cabbage down in the water which comes off the corned beef; we first cook the corned beef, and then cook the cabbage in the same water.

Q. What time do you commence boiling your corned beef? A. About half-past nine.

Q. Until what time do you boil it? A. Until half-past twelve; when the corned beef is boiled we put the water off the corned beef on the cabbage and cook it on the range; we put the cabbage in the boiler on the range.

Q. How do you cook the cabbage? in the corned beef water? A. Take some of the water off——

Q. But you still keep cooking the corned beef? A. No, sir, that is always steaming there; the water is put on first in the morning.

Q. How large a piece of corned beef do you cook? A. It is pretty large; it used to come larger, but don't come very large now.

Q. Is it tough or tender? A. It is tender.

Q. How long do you boil that piece you have spoken of? A. From half-past nine until twelve.

Q. What do you cook it in? A. We cook it in a steamer.

Q. Do you deposit the corned beef in cold water? A. The water is first hot in the boiler, and when the butcher comes we put it right into the hot water.

Q. How long do you boil your potatoes? A. We put them on about half-past eleven, and boil them until quarter to one.

Q. That is an hour and three quarters? A. Yes, sir; we cook them always in a boiler on the range.

Q. Usually how large a piece of roast beef do you roast? A. It is the baker that roasts the beef.

Q. You don't roast it? A. No, sir; I roast pieces through the week.

Q. You make some soup on Monday? A. Yes, sir.

Q. What do you make the soup of? A. From meat that comes from the butcher on Saturday.

Q. That part the leg? A. Yes, sir.

Q. Do you put the leg in with the marrow and all in it? A. Yes, sir.

Q. Does one leg make soup enough for them all? A. There is more than one leg in it.

Q. How much? A. A whole lot of meat comes for soup on Saturday.

Q. What else do you put in? A. All the vegetables.

Q. What vegetables? A. Parsley, parsnips, some carrots, some barley and rice, or anything that we know suits them.

Q. And season it with pepper and salt? A. Yes.

Q. Potatoes? A. No, sir, never.

Q. Do you make any other kind of soup, except beef soup? A. That is all.

Q. Do you make pastry? A. No, sir, the baker does that.

Q. You don't make any pastry? A. No, sir, except for private tables.

Q. For the teachers' and superintendent's families? A. Yes, sir.

Q. When do you have baked beans and pork? A. On Thursday.

Q. Do you bake the beans and pork? A. Yes, sir.

Q. Do you boil the beans first? A. Yes, sir.

Q. How large a piece of pork do you have? A. Pretty small.

Q. About how many pounds, altogether? A. I could not tell you.

Q. Do you weigh it? A. No, sir.

Q. Do you serve on the teachers' table the same as you do on the pupils'—that is, the beef and the soup? A. Yes, sir; it always goes onto the teachers' table, part of everything that goes on to the pupils'.

Q. Do the pupils complain of your cooking sometimes? A. They are always complaining since I came to the institution; I don't see any difference with them now, no more than the first time I came into it; I waited on the table myself, and it was just the same thing with them, always complaining, from the day I first saw them until this day.

Q. Is your pork always good? A. It was good, except one day here, and I did not notice it; I brought Mrs. Hays in to look at it; it was splendid looking pork when I put it down, and when I put it on the sideboard it tasted so that they said in the dining room it was kind of changed.

Q. How is the butter? A. It is very good butter.

Q. How often do you cook mutton for the pupils? A. We don't cook any mutton for them at all; we cook roast beef.

Q. Who do you cook mutton for? A. For the private table, sometimes.

Q. Roast mutton? A. Yes, sir.

Q. Roast lamb? A. Yes, sir.

Q. In the summer do the pupils have green peas? A. I don't know about that; I have been away in the country all the time, and I have been away when there were green peas.

Q. What time did you go away last year? A. July.

Q. What time did you come back? A. I could not recollect the time I came back.

Q. You had no peas on the 4th of July? A. No, sir, none that I saw at that time.

Q. Do you have plenty of facilities for cooking? A. Yes, sir.

Q. Do you have plenty of them and every convenience for cooking that you want? A. Yes, sir.

Q. Every convenience? A. Yes, sir.

Q. You never have cooked in any private family have you? A. No, sir, I lived with a lady for seven years, but I never did any cooking, and I came from there here.

Q. What do you do with the soup meat? A. We make hash of it for the next morning.

Q. What do you make your stew of? A. Meat that comes from the butcher's.

Q. Fresh meat? A. Yes, sir.

Q. Any mutton in that ever? A. Sometimes there is some mutton in it and sometimes not.

Q. What do you make that stew of? A. Fresh meat.

Q. Is it simply stewed meat, or meat and potatoes and vegetables stewed together? A. All the meat is stewed together and nothing made but the gravy.

Q. What do you make the gravy with? A. We make the gravy with flour and some pepper and salt.

Q. Do you put butter in the gravy? A. No, sir.

Q. What vegetables do you serve with the stew? A. Potatoes.

Q. How are they? A. Sometimes good and sometimes not.

Q. Do you give them boiled potatoes? A. Yes, sir.

Q. Boiled or mashed? A. Boiled.

Q. Don't you sometimes mash them? A. Yes, sir.

Q. When you mash them do you put butter and salt and pepper in them? A. We don't put butter in them, we put some salt and pepper in them.

Q. Did they grumble about their dinner on last thanksgiving day? A. No, sir.

Q. They had plenty of roast turkey on that day, had they not? A. Yes, sir.

Q. Did they object to that? A. I heard no objection to it.

[Mr. Babcock stated, in regard to the lock-up, that no pupil had been confined in it since last fall, and that they were not in the daily practice of using it.]

Employees of the New York Institution for the Blind—with their monthly salary.

William B. Wait, superintendent, boards in institution, salary \$83.33.

H. S. Ambler, steward, boards in institution, salary \$60.

M. A. Hays, matron, boards in institution, salary \$25.

L. A. Haskell, registrar, boards in institution, salary \$17.25.

Fred'k Ogden, book-keeper, without board, \$35.

William Hyde, carpenter, do 58.50.

Stephen Babcock, teacher, boards in institution, salary \$38.33.

C. F. Boardman, do do \$30.

Matilda Hutchins, do do 22.91.

Mary Moore, do do 7.18.

Mary Knowles, do without board, 16.66.

Ann Cox, do boards in institution, salary \$7.18.

Theo. Thomas, music director, without board, salary \$41.67.

F. Hentzer, music teacher, without board, salary \$33.34.

C. A. Feopple, do do salary 25.00.

C. Connell, do boards in institution, salary \$14.38.

H. A. Wright, do do do 14.38.

C. J. Hardenbergh, assistant matron and sewing teacher, boards in institution, salary \$20.

M. Clealen, seamstress, boards in institution, salary \$11 50

Marg't White, do do do 11 50

E. Johnson, do do do 9 00

Eliza Mahony, small boys' nurse, do do 11 50

Ann J. Queal, small girls' nurse, do do 11 50

J. E. Queal, sick nurse, do do 11 50

Jane Carlin, cook, do do 11 00

B. O. Flynn, laundress, do do 8 00

B. Lawler, do do 8 00

Marg't Carlin, kitchen girl, do do 8 00

Teresa Lawler, dining room, do do 7 00

Mary Norton, do do 7 00

Mary Lawler, do do 7 00

Ellen Patterson, chambermaid, do do 7 00

Eliza Lawler, do do 7 00

M. A. Moran, supt. servant, do do 7 00

B. Dennen, scrubbing, boards in institution, salary \$7 00

Emily Simmons, do do do 7 00

Ann Hardy, do do do 7 00

Kate Daly, laundress, do do 7 00

William Davis, fireman, do do 28 00

Jacob Edwards, baker and watchman, boards at institution, salary \$25.

Edward Collins, porter, boards at institution, salary \$22.

Hugh F. Darragh, foreman in mat and broom shops, without board, salary \$47.76.

Warren Waterbery, foreman in mattress shop, without board, salary \$39.00.

Anna Sheridan, seamstress in mattress shop, without board, salary \$17.34.

Alice Hatchman, guide, boards in institution, salary \$2.50.

Hannah Rodney, guide and asst. teacher, knitting, boards in institution, salary \$2.50.

Alvah Canfield, teacher, boards in institution, salary \$2 50

Clement Hagar, teacher of music, do do 2 50

Mary Jane Duffy, do do do 2 50

Catherine Murphy do do do 2 50

J. W. G. Clements, attending physician, without board, salary \$16.66.

James Van Buskirk, office boy, without board, salary \$13.

It may be asked whether the educational departments of the institution could not be conducted with a smaller corps of teachers? In answer, I would say, that blindness is, in the great majority of cases, a visible outward evidence of inherent bodily weakness, often attended by mental imperfection. But more than this; it is *always* an obstacle in the way of culture, and renders useless many of the usual methods of instruction. In order that information should be imparted and fixed, the instruction must be individual. *Each* pupil must often be taken in hand—and it is no uncommon thing that hours, and even days are required, for the education of a single point. Progress is necessarily slow. Blackboards—the most useful of school apparatus—is useless to the blind, and all illustrations and descriptions must be oral; and not only does blindness necessitate more labor, but early training, or rather the want of it, engenders habits, both physical and mental, which it is almost impossible to eradicate. All this necessitates great labor. A given number

of blind persons require and should have a greater number of instructors than the same number of seeing persons, and that too to secure the least allowable progress. It may be stated thus: Defective physical and mental organizations, require extra and unusual assistance and appliances. Blindness is the result of a defective physical and mental organization. Therefore, those afflicted by it, require extra and unusual assistance and appliances. The Pennsylvania institute for the blind has nine teachers and 117 pupils in the literary department. (See report for 1863.) The New York Institute has 8 teachers and 134 pupils in the literary department. The Pennsylvania Institute has 7 teachers in the musical department, and the New York Institute has 7. The Pennsylvania has four teachers in the industrial department; the New York Institution has three principal instructors and three assistants. Here, it will be seen, that with a smaller number of pupils in the literary and musical departments of the Pennsylvania Institute than the N. York Institution, they have a larger number of teachers. But it may be said that the education given the blind is too expensive. The total amount of salaries paid to all persons engaged as instructors in the Institution, (as per pay roll for March, 1864) is \$365.03 per month, or \$4,280.36 per year. This being for 148 pupils, gives a per capita \$28.92, as the expense of *all* instruction. In the literary department, there are eight teachers who receive an average salary of \$190.89 per year. In the musical department, there are seven teachers who receive an average salary of \$229.84. Let me ask is it possible for a seeing person to find an institution in this country at which he can be educated in the common English branches, algebra, geometry, and the natural and mental sciences, in the theory and practice of music, including lessons in vocalization and chorus singing; with instruction on the piano, organ, and orchestral instruments—and also instruction in at least one of three trades, for the sum of \$28.92? It costs the State more than this for the education given in the State Normal School, where the course of instruction does not include music, (technically speaking) nor any trade. And while this goes to show good fortune and the exercise of economy in securing teachers of first rate talent, it also shows that first rate talent, when employed in educating the blind, does not find compensation equal to what it receives when educating the seeing. Dr. Lord, supt. of the Ohio Institute, speaking on this point, says: "My experience and ob-

servations have led me to regard it as settled, that sound policy and the best economy warrant the managers of such institutions in employing, as teachers, only those of the best abilities, and in paying such compensation as will secure such, and retain them after they have acquired experience." Again it may be said that the blind cannot make competent teachers. This assertion is based only on supposition; there are two opinions which are very prevalent, but very erroneous; one is, that a seeing person, however unqualified to pursue any other calling, can at least teach; and the other is that the blind can do nothing—no—not even teach. I believe that destruction, though it be to the welfare of our youth, the majority of seeing people still hold to the first of these opinions; but the blind and their friends know the falsity of the last one. Dr. Lord says: "A very small number can be employed as teachers of the blind; a larger number may become teachers of music; and now and then one of rare attainments may conduct recitations in other institutions." M. Du Fan, resident director of the Institute Imperial des Jeunes Aveugles, at Paris, testifies as follows on this point: "Experience has proved that no master is better for the blind child than one, who, being in the same state of infirmity, has known how, by persevering efforts, to triumph over obstacles which nature has imposed upon him. No one can better guide the child in a road which he himself has travelled and whose aspirations are so well known to him." The system of instruction in the Paris Institute, is conducted by one seeing superintendent and twelve blind professors. I would refer to the fact that in the Massachusetts and Pennsylvania institutions, the blind are employed, as evidence that they make successful teachers. On Monday, April 5th, one of your committee visited some of the classes. In one room in which a seeing teacher was conducting a class, the floor and room in general were observed to be very neat and clean. Passing to another room in which a blind teacher was instructing, it was noticed that the room was not so tidy, the floor being considerably soiled with tobacco spittle. If correctly informed, I understand that the difference in the condition of the rooms was attributed to the fact that one teacher could see, and hence his room was kept cleanly, which the other, from his blindness, was unable to do. Such an inference is not a logical deduction from the facts in the case; and in justice to the blind teachers, I desire to explain the matter. The institution is divided into two parts—one

being occupied by the males—the other by the females; there are six rooms for recitation, three on each side of the dividing line; there are six classes and six recitation hours. At the close of each hour the classes change rooms, each class taking the room to the right, so that at the sixth hour all the rooms will have been occupied by each class; the teachers also change rooms with the classes. From this, it will be seen, that no class, and no teacher can of course be charged with having produced an unsightly condition of the room, as it is evident that the class preceding may have done it. Later in the morning the same seeing teacher who occupied the neat room, might have been seen conducting his class in the untidy room. Moreover, the room, which in this instance was occupied by the blind teacher, is a sitting room for the males out of school hours, and had undoubtedly been soiled by them. The real explanation is this: that the neat room is on the female, and the untidy room on the male side of the house. The males use tobacco—the females do not. And for this reason only was there a difference in the appearance of the rooms; blindness was neither the cause nor the occasion. Much could be said regarding the employment of the adult blind, the necessity of separating them from the younger blind, etc., but want of time forbids.

WM. B. WAIT, *Superintendent.*

Sworn before me, this 5th
day of April, 1864.

J. WILLIAMS, *Notary Public.*

Statement Showing the Actual Expenses of the Institution, for the year 1863.

Cost of supplies for the year 1863.....	\$20,141 21	
Cost of salaries and wages.....	8,238 55	
Croton water and gas.....	827 00	
Repairs and alterations.....	655 60	
Rent of rooms for manufacturing department, for nine months.....	933 03	
Loss in manufacturing department.....	1,195 46	
Traveling expenses.....	464 08	
Legal expenses.....	143 80	
Stationery and petty accounts.....	284 16	
Mt. Hope farm, (raising vegetables, &c.)	522 00	
Purchase of pianos, musical instruments, music books and repairing.....	1,264 02	
Fire insurance premium.....	569 59	
Bill for taxes of 1863.....	2,167 24	
Interest on bond and mortgage paid and due in 1863.....	9,882 46	
	<hr/>	
150 pupils cost.....	\$47,288 20	
	<hr/>	
139½ N. Y. State pupils.....	\$44,140 02	
Received from State of N. Y., from Dec. 31, 1862, to Dec. 31, '63....	\$21,142 45	
Due from State of N. Y., Dec. 31, 1863.....	6,815 79	
	<hr/>	
	27,958 24	
	<hr/>	
	\$16,181 78	
Cost of clothing, in 1863, for 131 N. Y. pupils.....	\$6,654 80	
Received for clothing of N. Y. pupils, in 1863.....	\$1,402 50	
Due for clothing of do.....	2,520 00	
	<hr/>	
	3,922 50	
	<hr/>	
	\$2,782 30	
	<hr/>	
Excess of expenditures over receipts for N. Y. State pupils, in 1863.....	\$18,914 08	
	<hr/>	

FREDERIC OGDEN, *Book-keeper.*

Statement showing Moneys received from sources other than from States.

1862.

Dec. 31. Cash on hand	\$30 57	
Donations	51 78	
Fair and exhibition	178 84	
Tuition	180 00	
Sale of real estate, (\$160,000) ..	\$,500 00	
Interest on investment	680 97	
Mortgage bond, (borrower)	11,000 00	
Rent of 8th Avenue buildings ..	3,532 98	
	<hr/>	\$22,135 14
Red'tn of floating debt (about) ..	\$420 00	
Cash on hand, Dec. 31, 1863	700 00	
	<hr/>	1,120 00
		<hr/>
		\$21,015 14
		<hr/>

FREDERIC OGDEN, *Book-keeper.*

The following is an extract from the Superintendent's monthly journal for March, 1864.

Received from N. Y. State, as per quar-

terly bills

\$27,958 24

Received from N. Jersey, as p. semi-annual

1,651 67

\$29,609 91

The current expenses for 1863, excluding supplies and interest, were as follows :

Salaries and wages	\$9,738 55
Clothing (loss on)	1,680 31
Croton water	82 75
Traveling expenses	464 08
Music and instruction	458 36
Gas	744 25
Legal expenses	143 80
Manufacturing department	123 99
Fire insurance	569 59
Repairs and alterations	655 00
Mount Hope farm	522 00
Petty account	284 16

Steward's expense account	\$275 00
Taxes and assessments.....	2,167 24
Coal and kindlings (about).....	1,800 00
	<hr/> \$19,660 18

Deducting \$19,660.18 from \$29,609.91, there remains \$9,949 73

State funds to be expended for groceries and provisions.

The number of State pupils among whom this amount is to be apportioned, is found by dividing the amount received from each State respectively, by 200; (\$200 being the amount paid for each pupil by New York and New Jersey); $\$27,958.24 \div 200$, equals 139 $\frac{3}{4}$ average yearly attendance New York State pupils; $\$1,651.67 \div 200$, equals 8 $\frac{1}{4}$ average New Jersey pupils. Total average attendance, 148. Dividing \$9,949.73, amount of State funds to be expended for supplies, by 148, the number of pupils, there results \$67.16, the amount to be expended for each pupil. But the actual average number of persons (employees and pupils) among whom these supplies were distributed, was 200, making a per capita amount of \$49.74, which gives 14 cents per day or 4 $\frac{1}{4}$ cents per meal.

In 1863, the Institute bought supplies (including coal and kindling) to the amount of \$20,141.21; but the State appropriations allowed \$9,949.73; hence it follows that the Institute contributed \$8,391.98 for groceries and provisions, which increases the amount per pupil, from \$67.16 to \$123.42, and the per capita for all persons, from \$49.74 to \$91.75.

WM. B. WAIT, *Supt.*

N. B. Since the accounts for '63 were made up and the books closed, \$1,500.00 of taxes has been remitted.

WM. B. WAIT, *Supt.*

REPORT OF THE COMMITTEE.

NEW YORK STATE SENATE, }
ALBANY, April 9, 1864. }

In the matter of the petitions of the pupils of the New York Institution for the Blind, the Committee on Charitable and Religious Societies

REPORT :

That on the 17th day of February a petition was presented in Senate as follows :

To the Honorable the Legislature of the State of New York:

The petition of the pupils of the Blind Asylum in the city of New York, respectfully shows that the undersigned are pupils in the Asylum for the Blind in the city of New York, and have been in said institution for several years last past ; that owing to the loss of sight, they are in a helpless condition, and are unable, to a great extent, to assist themselves ; that they entered said institution with the hope and expectation of receiving an education suited to their unfortunate and helpless condition, to aid and assist them in obtaining a future livelihood, and in the expectation, also, of receiving proper food, clothing and treatment.

That most of your petitioners are State pupils, and supported at said institution at the expense of the State.

Your petitioners further show that the pupils in said institution have been and are improperly treated and neglected by the managers and officers of said institution ; that the teachers, as a general rule, are not, in the opinion of your petitioners, qualified for the duties of their office ; that proper regard is not had to the cleanliness of the establishment, nor to the health or comfort of the pupils ; that frequently the meat furnished the pupils is tainted and unfit to eat, and the vegetables and fish frequently spoiled and unfit to eat, and as a general thing the food is not

properly cooked or prepared, and cannot be eaten by the pupils, thereby causing much sickness among them. The beds are frequently damp, and the walls damp, caused by leaky condition of the roof, and when sick the pupils are neglected, and no regard is paid to their complaints or remonstrances.

Your petitioners therefore appeal to you for aid, and respectfully ask that an investigation may be made of the truth of the above statements, and an investigation made of the affairs and manner of conducting said institution, and that the managers and officers of the institution may be compelled, under proper penalties, to give better treatment, food and education to the pupils, and extend to them proper treatment, and that the pupils may in some way be protected.

Dated, New York, February 13, 1864.

^{his}
JOSEPH ✕ SANDERS,
^{mark.}

^{his}
CHARLES T. ✕ LEWIS,
^{mark.}

^{his}
BERNHARD ✕ GREINER,
^{mark.}

^{his}
WILLIAM ✕ HOFFMAN,
^{mark.}

^{his}
HENRY ✕ PUGH,
^{mark.}

^{his}
PATRICK ✕ BOYLE,
^{mark.}

^{his}
JOHN HENRY ✕ STERLING,
^{mark.}

^{his}
EDWARD C. ✕ DILLON,
^{mark.}

^{his}
CHARLES G. ✕ OTTO,
^{mark.}

^{his}
JOHN JAS. ✕ WESTERVELT,
^{mark.}

^{his}
GEORGE W. ✕ STERRETT,
^{mark.}

^{his}
CHARLES ✕ CASE,
^{mark.}

^{his}
JAS. H. ST. ✕ LAWRENCE,
^{mark.}

^{his}
THOMAS ✕ BUSKIN,
^{mark.}

^{his}
SAMUEL ✕ BENNETT,
^{mark.}

^{his}
JOHN W. ✕ SEIGH,
^{mark.}

^{his}
CARROL D. ✕ BECKWITH,
^{mark.}

^{his}
DAVID H. ✕ WINTERS,
^{mark.}

CITY AND COUNTY OF NEW YORK, ss.

We, the subscribers, being severally and duly sworn, each for himself says, that the above petition and the matters therein set forth are true.

Sworn before me, this }
13th day of February, 1864, }

JOHN A. HILLERY, *Notary Public, N. Y. city.*

WILLIAM ^{his} ♂ HOFFMAN,
mark.

HENRY ^{his} ♂ PUGH,
mark.

PATRICK ^{his} ♂ BOYLE,
mark.

JOHN HENRY ^{his} ♂ STERLING,
mark.

EDWARD C. ^{his} ♂ DILLON,
mark.

CHARLES G. ^{his} ♂ OTTO,
mark.

JAS. H. ST. ^{his} ♂ LAWRENCE,
mark.

THOMAS ^{his} ♂ BUSKIN,
mark.

SAMUEL ^{his} ♂ BENNETT,
mark.

JOHN W. ^{his} ♂ SEIGH,
mark.

CARROL D. ^{his} ♂ BECKWITH,
mark.

DAVID H. ^{his} ♂ WINTERS,
mark.

JOSEPH ^{his} ♂ SANDERS,
mark.

CHARLES T. ^{his} ♂ LEWIS,
mark.

BERNHARD ^{his} ♂ GREINER,
mark.

JOHN J. ^{his} ♂ WESTERVELT,
mark.

GEORGE W. ^{his} ♂ STERRETT,
mark.

CHARLES ^{his} ♂ CASE.
mark.

Which petition was referred to this committee.

That on the 19th day of said month a resolution was adopted directing your committee to investigate such petition, during the recess of the Senate, which recess commenced on the day following. That on the 27th day of February, your committee assembled at the Institution aforesaid, in the city of New York, and commenced such investigation; and, after having examined several of the petitioners and other pupils, as also the superintendent, and also having cursorily inspected the building, became satisfied that there was some foundation for complaint, and that justice to the pupils, to the Institution and to the State, demanded a more thorough and extensive investigation than the unexpired portion of the recess would permit. With the intention either of resuming the investigation at an early day, or of asking leave to make the same immediately on the final adjournment of the Senate, your committee returned to their several duties at Albany.

On the 30th of March another petition on the same subject was presented as follows:

To the Honorable the Legislature of the State of New York:

The petition of the State pupils in the Institution for the Blind in the city of New York,

Respectfully shows that in the month of February last a portion of the said pupils in behalf of themselves and the other pupils in the Institution presented a petition to the Legislature setting forth their grievances and asking for the investigation of the facts and for protection and relief.

Your petitioners respectfully show that as soon as when said petition was made public, a general cleaning up of the Institution was had, apparently with a view as the pupils believed, to put the place in order before the visitation of the committee,

That at one of the meal times a better meal than usual was served, and on that occasion some persons were introduced who were strangers to the pupils, and the food served on that occasion was then and there stated by the officials present to be a sample of the food usually served to the pupils, which statement your petitioners allege was not true, but that said meal was fixed up for the occasion,

That the pupils heard a committee had been appointed and they expected to have been brought before said committee to make their statement, and were ready and willing and anxious to appear before said committee; that on Saturday the twenty-seventh day of February last as your petitioners are informed and believe the committee attended at the institution for about three hours, on which occasion all the pupils were locked up and confined in the dining room and not permitted to leave, and did not know at the time that the committee were in the institution, and in answer to their inquiries why they were thus locked up were told it was none of their business. On that occasion they are informed and believe that only two of the male pupils were brought before the committee, who whilst there asked in a respectful manner that the pupils be allowed to be heard by the committee by counsel and that other pupils might be sent for, which was not done, and when they left the committee they were not sent back to the room where the other pupils were confined, but were sent to the office and kept away from the other pupils, and the evidence and testimony that the other pupils could and would have given was withheld and suppressed.

Your petitioners respectfully show that since the presentation of their former petition it is given out and reported in the Institution that all the pupils who signed said petition will be expelled unless they acknowledge that the allegations in the petition are untrue.

Your petitioners further show that all the allegations in the first petition presented to the Legislature in February last are true, and can be verified and substantiated by the pupils in the institution, and that if a full, fair and open investigation be had, and the pupils generally be allowed to testify without fear or coercion being used to prevent their testifying, it can and will be clearly established to the satisfaction of disinterested persons; that for the last three or four years, prior to the presenting of the petition in February last, part of the food usually given to the pupils has been unwholesome, improper and unfit to be eaten, that punishment has been inflicted on pupils for complaining of the food, that no attention has been paid to the health or comfort of the pupils, that the rooms have been kept uncleanly, that pupils have been punished for trivial causes, that the general treatment of the State pupils is unkind and unfriendly and in some cases harsh and tyrannical, that the pupils are unfairly treated in the distribution of their clothing, that the teachers employed are not qualified for their duties, that the institution, owing to the manner in which it is conducted, is inferior to similar institutions in other places.

Your petitioners therefore respectfully ask that the pupils may be allowed, without fear or coercion, to give their statements before a committee of investigation, and that a full investigation be had, and all the testimony taken may be reported in full, and no part of it withheld or suppressed.

All which is respectfully submitted.

Dated New York, March 7th, 1864.

his
JOHN W. ✕ SEIGH,
mark.

his
JAMES ✕ BALDWIN,
mark.

his
CARROL D. ✕ BECKWITH,
mark.

his
BERNHARD ✕ GRIENER,
mark.

his
JOHN ✕ MOLLEY,
mark.

his
HENRY M. ✕ PUGH,
mark.

his
WILLIAM ✕ GILLON,
mark.

his
JOHN W. ✕ FLANDREAU,
mark.

his
JAS. H. ST. ✕ LAWRENCE,
mark.

his
ROSEVELT S. ✕ MORRIS,
mark.

his
JOHN ✕ FRIEDMAN,
mark.

his
EDWARD ✕ LEROY,
mark.

his
JOHN J. ✕ WESTERVELT,
mark.

his
PATRICK ✕ BOYLE,
mark.

JOHN HENRY ^{his} ✕ STERLING, CHARLES ^{his} ✕ CASE,
mark. mark.

GEORGE W. ^{his} ✕ STERRETT, THOMAS ^{his} ✕ BUSKIN,
mark. mark.

CHARLES T. ^{his} ✕ LEWIS, JOSEPH ^{his} ✕ SANDERS,
mark. mark.

EDWARD C. ^{his} ✕ DILLON, WILLIAM ^{his} ✕ GARDNER,
mark. mark.

CHARLES G. ^{his} ✕ OTTO,
mark.

STATE OF NEW YORK,

City and County of New York, } as :

The subscribers being severally duly sworn, each for himself,
 says that the above petition and the matters therein stated are
 true, and the matters therein stated on information and belief
 they believe to be true.

Sworn to before me this }
 7th day of *March*, 1864, }

JOHN A. HILLERY, *Notary Public, N. Y. city.*

JOHN J. ^{his} ✕ WESTERVELT, CARROL D. ^{his} ✕ BECKWITH,
mark. mark.

PATRICK ^{his} ✕ BOYLE, JOHN ^{his} ✕ MOLLEY,
mark. mark.

JOHN HENRY ^{his} ✕ STERLING, HENRY M. ^{his} ✕ PUGH,
mark. mark.

GEORGE W. ^{his} ✕ STERRETT, WILLIAM ^{his} ✕ GILLON,
mark. mark.

CHARLES T. ^{his} ✕ LEWIS, JOHN W. ^{his} ✕ FLANDREAU,
mark. mark.

EDWARD C. ^{his} ✕ DILLON, JAS. H. ^{his} ✕ ST. LAWRENCE,
mark. mark.

CHARLES G. ^{his} ✕ OTTO, ROSEVELT S. ^{his} ✕ MORRIS,
mark. mark.

CHARLES ^{his} ✕ CASE, JOHN ^{his} ✕ FRIEDMAN,
mark. mark.

THOMAS ^{his} ✕ BUSKIN, EDWARD ^{his} ✕ LEROY,
mark. mark.

JOSEPH ^{his} ✕ SANDERS, WILLIAM ^{his} ✕ GARDNER,
mark. mark.

JOHN W. ^{his} ✕ SEIGH, JAMES ^{his} ✕ BALDWIN,
mark. mark.

BERNARD ^{his} ✕ GREINER,
mark.

STATE OF NEW YORK, }
City and County of New York, } ss.

WILLIAM HOFFMAN of said city being duly sworn says that he is aged twenty-five years; is blind and recently was one of the State pupils at the Institution for the Blind in the city of New York; deponent entered same Institution about four years ago in the hope and expectation of obtaining an education suitable to his condition and to enable him to earn a future livelihood by his own exertions.

Deponent says that he was one of the signers of the recent petition of the pupils to the Legislature, that, for the last three or four years prior to the said petition, the food supplied to the pupils was badly cooked, and as a general rule was unfit to be eaten; the bread was usually sour and heavy; the meat generally badly cooked and oftentimes tainted and unfit to eat, and the other food was of a similar character; that the dining and other rooms were kept uncleanly; that, at times, the stench arising from the food set on the table for the pupils to eat was so nauseous as to prevent deponent and other pupils from eating it, but as a choice they would go without eating until compelled by hunger to partake of the food thus set before them; that the bed rooms were not kept in order, the beds were damp and no regard paid to the comfort, convenience or health of the pupils, and the general treatment towards the State pupils, from time of deponent's entry into the Institution to the time of his leaving, some two or three weeks since, was harsh, unkind, and unfriendly at best, and oftentimes tyrannical, severe and cruel; for a long time prior to deponent's leaving the Institution it was a general subject of complaint among the pupils that their food was unwholesome and unfit to be eaten, and that their complaints, instead of being attended to, were disregarded and met by many petty acts of oppression and annoyance, and this conduct increased to such an extent that the pupils felt themselves to be prisoners rather than pupils; that deponent is informed and believes that because the petition was sent to the Legislature for redress the pupils have been threatened with expulsion, and deponent's situation was made so unpleasant that he left the Institution, by reason of their nailing up the passage way between his room and the Institution.

And deponent further says that when he entered the Institution, about four years since, his eye sight was not entirely gone,

but owing to the rain coming through the roof and wetting the bed of deponent, inflammation was caused and deponent, in consequence, entirely lost the use of his eye sight, and is now entirely blind.

WILLIAM ^{his} ~~M~~ HOFFMAN.
mark.

Sworn to before me this {
7th day of March, 1864, }

JOHN A. HILLERY, *Notary Public, N. Y. city.*

At the time of the presentation of the latter petition there was also laid upon the desks of Senators, a circular, of which the following is a copy:

AN APPEAL TO THE PUBLIC.

We the undersigned, inmates of the New York institution for the blind, respectfully and urgently solicit our friends and relatives to take immediate steps towards the amelioration of our condition, and to secure to us some more proper treatment at the hands of the officials of that establishment.

The reasons which induce us to take this unusual course are briefly as follows:

For years past our course of instruction has been so poorly conducted that we are unable, when discharged at the expiration of our term, to earn a livelihood, and the consequence is that we are either compelled to go to the poorhouse or become the mere objects of private generosity.

Our food, what there is of it, is poor; our dormitories are neglected; and the entire building is so badly ventilated as to be quite unhealthy. During winter the heating of the establishment is frequently neglected, and in all cases quite inadequate.

We are constantly ill-used and beaten for the most trifling causes, and altogether our condition is such as to reflect disgrace upon public charity.

The kindred institutions of other States (especially those of Pennsylvania), so ably conducted, invariably turning out their pupils thoroughly instructed in some useful employment, present a glaring contrast to those of our own State.

The appropriation made by the State for our comfort and education is, as is well known, ample; and we would urge upon our friends and sympathisers to use their influence in our behalf with the Governor and both branches of the Legislature, so that a

committee of inquiry may be appointed to examine into the workings of the institution; feeling assured that such an investigation cannot but result to our benefit.

WILLIAM HOFFMAN,
SAMUEL BENNETT,
JOHN L. WESTERVELT.
DAVID WINTRESS,
GEORGE STERRETT,
BERNARD GREINER,
CLEMENTS DILLON,
PATRICK BOYLE,
THOMAS BUSKIN,

JOHN H. STERLING,
CHARLES OTTO,
JOSEPH SAUNDERS,
JOHN W. SEIGH,
CARROL D. BECKWITH,
CHARLES J. LEWIS,
CHARLES CASE,
HENRY PUGH,
JAMES ST. LAWRENCE.

NEW YORK, *February 17th*, 1864.

It was this circular that attracted most attention and formed the basis for most of the remarks at that time made, and which in connection with the petitions aforesaid, aided in the passage of a resolution by the Senate, requesting your committee to report on Wednesday, April the 6th, and granting them leave of absence until that time, to complete the investigation.

Pursuant thereto your committee proceeded again to the institution and resumed business.

Over one hundred pupils were examined under oath, several of them being recalled more than once. The utmost latitude was given to them and they were freely encouraged to state all they felt inclined to. They were examined, most of them, singly, with no one present or within hearing but the committee and their clerk, and were invited, if they should remember anything they had not stated, to come in at any time while the committee were present, of which invitation very many of them availed themselves without stint.

Besides the pupils, your committee examined the president, Augustus Schell, Esq.; the superintendent, Mr. William B. Wait; Mr. Babcock, assistant superintendent; Mr. Boardman, senior teacher; Mrs. Hays, matron; Miss Hardenburgh, assistant matron; Miss Cox, Miss Knowles, Miss Murphy, Miss Nones, and Mr. Hagar, teachers; Miss Amelia Wright, Music teacher; Frederick Ogden bookkeeper; Hugh Darragh, superintendent of the work shops; also the butcher, the steward, the baker, the carpenter, the cook, and other officers and servants of the institution, and also those who supply vegetables and provision for its inmates.

GENERAL TREATMENT.

A careful perusal of the testimony will show that some of the most serious charges contained in the three petitions are not sustained. It is due to the institution to say that it is untrue that the pupils "are constantly ill-used and beaten," nor have any been "expelled" or "threatened with expulsion" for having petitioned the Legislature; nor is it true that they or any of them were locked up in the dining room while the committee was present to prevent their appearing and giving testimony. The evidence shows that they were locked in the dining-room on that occasion not to exceed a half hour, and then only to enforce the rule that none should leave until the meal was finished. Nor is it true that they are punished for trivial causes, or that the general treatment of the State pupils, as a whole, is unkind and unfriendly. It is also proper to say that most of the evils complained of, date back three and four years, and even longer, during which time changes have been made in the office of superintendent and in other offices, and several of the pupils testify that since the advent of the present superintendent the institution has in some respects shown improvement.

Notwithstanding all this, however, there is much to complain of.

CLASS ROOMS.—DORMITORIES.

The building itself is not in good order; the class rooms, many of them are dirty, close, and foul; it is almost wholly without ventilation; it is poorly heated, the dormitories are not heated at all, and there is no ventilation there except the doors and windows. For the want of heat and ventilation there is a chilliness in the air at all times, and in wet weather a dampness of which many of the pupils seriously complained. Your committee experienced this chilliness, although at the times they visited the dormitories the windows had been open for hours. What the condition of the atmosphere must be early in the morning, can readily be imagined. The sun's rays never reach the dormitories wholly, and the beds and bedding are not taken out to air or exposed to the sun. This dampness is partly accounted for by the fact that for six weeks past the roof has leaked, and pails have been set at times to catch the leakage, and sometimes it has dropped upon the beds so that they had to be removed and dried. These dormitories are long rooms on either side of the building and in the second and third stories. There are from sixty to seventy beds in each room, and midway, a water closet. The

bedsteads are of iron, good size, proper height, and the beds and bedding are sufficient in quality and quantity. But here as elsewhere there is a total absence of system. Sometimes the beds are made at one time and sometimes at another. Sometimes they are turned over to air, and sometimes not. The care of them is left in the hands of chambermaids who did not know under whose directions they discharged their duties, nor to whom they were responsible. They never reported to any one; did not seem to know what that meant. In the girl's dormitory, some of the pupils make their own beds, and the chambermaids make the balance. One of your committee visited the dormitories as late as three o'clock in the afternoon, at which hour a portion only of the beds were made, and the rooms were not swept. There is, however, a regulation as to the changing of the bed linen, effected, it would seem, by consideration for the laundress. Once a week, a clean sheet is supplied, the upper one is placed underneath and the under one sent to the laundry. The pillow-slips are also changed weekly, and the blankets whenever necessary. When we consider that the beds are not changed at all, that they nightly absorb more or less of perspiration and exuviae, and that there is no sufficient ventilation, it will readily be seen that the air must be greatly vitiated and highly detrimental to health. Upon this subject of ventilation, so little understood and appreciated, and from the want of which; hundred if not thousands of our people are annually swelling the bills of mortality in our great cities; your committee beg to call attention to an extract from the report of R. N. Havens, Esq., whose duty it has been to investigate the subject. Speaking of the insufficiency of a natural flow of air, even with an unusual number of vents, he says: "And I may be permitted to illustrate the correctness of this remark, by reference to the school room of the New York Juvenile Asylum. The asylum is situated in 175th street, between 10th and 11th Avenues, near the High bridge, New York city. It is on very high ground, exposed to every breeze that sweeps the land from all points of the compass. The school room is in the rear extension of the main building, running about N. by E., and S. by W. It is 78 feet in length by 39 feet in width, and the ceiling is 13 feet 3 inches from the floor. It has five windows on both the easterly and westerly sides, each four feet six inches by seven feet nine inches, and also one window on the northerly end, of the same dimensions, with one large door at that end.

and three doors in the southerly end at its attachment to the front building ; the middle door of these three opening into the main hall, which communicates with the southerly front. Besides all these facilities for ventilation, there are seven ventilators in the upper part of the walls, and four near the floor, each of them having an area of eighty square inches. The Superintendent, Dr. S. D. Brooks, who is a gentleman of general scientific attainments, besides his peculiar and unusually excellent qualifications for the important post he fills, is exceedingly careful, as I have repeatedly had occasion to notice, to feed his large family with all the fresh air that they can consume. And yet, I have visited this room in the summer season, when all the windows, doors, and ventilators were wide open ; and after its occupancy by the four hundred children and their teachers, for an hour or two, the atmosphere would become so vitiated as to be offensive to the senses ; and the teachers, who are in the room, necessarily much of their time, complain that it often excites inflammatory action of the eyes. Now, here, all has been done that could be, in the nature of the case, to secure fresh air by a natural flow ; and yet the supply is insufficient for health. The fact is, that where large numbers of human beings are assembled in our close buildings, air must be supplied by artificial means, or health will suffer.' These remarks, it will be seen, are applied to a school house where the children assemble only in the day time, and for only an hour or two at a time. What then must be the case in these dormitories where the children sleep eight or ten hours, with a water closet in the room, and no ventilation at all beyond what has already been referred to.

To this it may be replied that there is little or no sickness in the institution, which is true ; but then, of all the pupils, very few seemed to be of robust vigorous health. Simplicity of diet and plenty of exercise, may, in many cases, counteract the poisons engendered during the night, but no intelligent person will undertake to deny that these dormitories are unhealthy and unfit for the purposes to which they are devoted.

Food.

It will be seen by the testimony that generally the quality of the food and the quantity is good and sufficient. They are daily supplied with plenty of good bread, and are regularly served with fresh beef, vegetables, soup, butter, tea, sugar and milk. Judging fairly of the testimony, the food itself is good, with now and

then an exception, which ought to and can be avoided. The exceptions, it is right to state, are rare, of long intervals, and relate principally to the salt pork cooked with the beans, and to codfish on Fridays. The cooking, however, is not good, and your committee think that here lies the greatest difficulty with the food. The arrangements for cooking are not of the most approved kind, and no material improvement has been proposed because of the intended abandonment of the present building.

The testimony of the cook shows that the management has been deficient. She testifies she was laundress, and did not enter the institution as a cook; that when the cook left she was put on until another could be found, and has been kept on ever since, now about one year. It does not appear that any effort had been made to procure a cook during that time. She further says that the children complain, or are always complaining about the food.

Your committee visited the dining room on several occasions. On each occasion it was known they were in the building some time before they entered the room. At no time was it in a cleanly and sweet condition. The tables, seats, windows and floors, gave no evidence of any very great familiarity with soap and water, and the air was close and unpleasant. The appearance of most of the waiters was in general keeping with the room itself; in fact the different features of the institution throughout, are harmonious in this respect. But your committee did not depend entirely upon the senses of sight and of smell, they tasted. They found the tea was of fair quality but spoiled in the making; the soup and meats were deficient in seasoning; the bread was good, and butter fair. The serving of the food and the general discipline of the table is bad. There seems to be no head, and during meal time these unfortunate children are left to the care of subordinates and servants.

Your committee have said that the general quality of the food was good and the quantity sufficient. The variety, however, is not great. Judging by the last report of the prison association it would appear that the prisoners at Sing Sing prison fare better in this respect than the pupils of the institution for the blind. In this respect there should be a change as soon as an experienced, competent person can be found to take charge of the culinary department. The moral influence of good food, furnished in sufficient quantity and variety, and properly cooked, will be found in the deportment of the pupils, in their cheerfulness, con-

tentment and good feeling. Who knows better than these Senators, the ill effect of a mean dinner. It tempers the whole man, and when continued from day to day, robs him of his comfort and sou's and spoils all he does or has to do with. The delight with which these pupils referred to their "thanksgiving dinners," which are regularly served, proved most conclusively that an improvement in their food at any other time, would produce in them feelings of great cheerfulness, gratitude and joy. It would certainly tend to please their appetites and remove many of the now numerous complaints against the food, complaints which we have no doubt are sometimes founded as much upon being tired of the same kind, as upon its poor quality.

CLOTHING.

That furnished by the Institution is of necessity very ordinary. Some of the pupils have friends who clothe them in whole or in part. The clothing generally is in fair condition, though some of the pupils were sadly in need of a new supply. Some are very cleanly, while others (principally boys,) make no pretensions to tidiness. The sum allowed by law for clothing is thirty dollars a year, paid by the county from which the pupil is sent. This sum is disbursed by the officers of the Institution. An account is kept against each pupil, and whenever anything is furnished to him the cost of it is charged to that account. Some require more than others. Your committee did not discover that there was any undue partiality in the distribution of this clothing. It does not appear, however, that the pupils are disciplined at all as to the use of their clothing. Those who testified on that point say they are not punished for soiling their clothing, nor cautioned to keep it clean—that no orders or injunction on that subject are issued.

MANUFACTURING DEPARTMENT.

One of the principal objects of the Institution, and upon which the State bases in part its annual donation, is that a mechanical education shall be given, so as to enable the pupils, when they leave the Institution, to help themselves. At present, three branches only are taught, and those very imperfectly. Mats and brooms are the principal articles, and mattresses are also made, though not to any very great extent. The testimony on this point is not all creditable to the Institution. It does not appear that the shops have been well managed. The present superin-

tendent, an intelligent and respectable young man, admits that he had no knowledge of either branch until he came there, and his predecessor was a blind man, a former inmate and pupil, who could make a very good broom or mat himself, but who, it seems, was unable to impart that knowledge to any great extent to others.

The managers stated that their loss in this department during the year last past was about two thousand dollars. They did not state how many articles were made, nor the cost thereof, nor what amount was earned by each pupil. On this head we cannot come to any reliable conclusion, but your committee find that in other States similar institutions meet with better success in this department, while in the State of Pennsylvania it has more than paid its way. There, however, many other articles are manufactured; shoes, brushes and baskets, and even turning, had been added to their handicrafts.

EDUCATION.

Under this head it would be unfair for your committee to undertake to give a decided opinion upon all the points connected with so important a department of the institution, for the reason that the limited time allowed by the Senate would not permit as thorough an examination as its great importance demands. Nearly, if not quite all the teachers were examined, many of them are blind and about half of them are females; generally they are intelligent, and seem to entertain a fair appreciation of their duties and responsibilities.

Your committee, however, feel constrained to say that in more instances than one, they thought they discovered a lack of the proper disposition. Kindness and patience ought to characterize every person placed in charge of these unfortunate children, no matter in what manner connected with them, but in connection with their intellectual and moral training, they should form indispensable pre-requisites. The testimony goes to show that these qualifications are not possessed by all the teachers, at least, not sufficiently to exempt them from what seems to us well grounded charges. Nor can your committee approve of the "blind leading the blind." That in some instances and for some purposes a blind teacher could get along without unusual difficulty, may be admitted, but that such teachers are as competent as seeing teachers, other things being equal, is to your committee

unreasonable. If that be the fact, if it be true that blind teachers can become as well qualified to teach the blind as seeing persons, of equal talent and capacity, then the loss of sight, so far as its utility is concerned, is only a comparative evil. To your committee it seems impossible that the disadvantage of loss of sight to a teacher could ever be made up or compensated for by any acquisition whatever. Blind teachers, as auxiliaries, would perhaps be unobjectionable where their mental qualifications, their dispositions and habits are all suitable. It is really contended that the blind are better qualified to teach the blind, than are seeing persons.

The vast superiority of sight over blindness is pushed aside as of no earthly consequence, and elaborate arguments are entered upon to prove that the latter is equal to the former. And this is not confined to the blind teachers themselves; even those who still have a physical vision advance the doctrine, and adhere to it with great pertinacity. On the contrary, it is very doubtful whether even the influence of the blind upon the blind is not detrimental. These unfortunate people, especially those who were not born blind, but who can remember when they could see, know that seeing persons have a great advantage over them; they are more likely to have confidence in them, and to accept of their views of things. They argue, and very naturally too, that what a man never saw he cannot so well understand, describe and appreciate as though he had seen the object.

S. G. Howe, Director of the Massachusetts asylum, in his report to the trustees in 1861, says: "With regard to the blind, it may be said that, morally speaking, they grow blinder by living too long and too exclusively with each other. Whatever may be the peculiarities of character which result from blindness, and which tend to unfit the person for a member of society, we are to strive to correct them by education. But in administering our institutions with a view to this end, we are met at the outset by a difficulty which makes me fear there is a fundamental error in their organization. During the six or seven years in which the character is most easily moulded, the blind must associate almost exclusively with each other, whereas we have seen that it is most desirable they should associate with the seeing."

He further says: "Even the most conceited blind person would admit that, if he had eyesight, his mental power and resources, and consequently his intellectual attainments, would be greatly

increased, It is time that the blind, and those interested in their education and welfare, should recognize and act upon the great law of nature, that the more numerous and the more perfect are the sensorial agencies of the mind, the higher and more perfect, other things being equal, will be its development."

With such testimony as this, no reasonable, unprejudiced mind can fail to see that all, or nearly all, the teachers should be such as have eyesight. It will be observed that most of the witnesses, especially the girls, testify upon the subject of music, and complain that whereas they once were taught it in the institution, they are now deprived of that pleasure. On this subject it seems to be a well established fact that the blind almost universally believe themselves qualified to learn music if nothing else, a belief which is as fallacious with them as it is with the seeing. Since the advent of the present superintendent, a change has been made in the post of music director, who is allowed, and very properly, to determine whether a pupil is susceptible of becoming a musician or not. On this point the testimony of experienced men connected with similar institutions in other States, is concurrent; in fact some of the pupils themselves were candid enough to admit the fact.

These subjects, it is thought, form about the only ones required to be treated in this report. The finances of the institution are not fully understood by your committee and no extensive remarks can be made thereon. The several financial statements submitted to us are herewith submitted. It is generally believed that further State aid must be extended in order to sustain the asylum. It is conceded, too, that the year past has been one of unusual expense, and that a deficit exists of several thousands of dollars. The statements furnished by the officers and published with the evidence have not been thoroughly examined and criticised by your committee for want of time. They are open to the criticisms of all.

In conclusion your committee feel compelled most reluctantly to say that the general condition and management of the institution is far below the proper standard. A complete reformation seems to be necessary, from the kitchen to the school room. The general internal appearance forcibly impresses you with the sense that there is a great want of management somewhere—a head to direct and a will to prosecute. There seems to be no discipline at all in any department. Laxity everywhere prevails. No one

seems to be held to any responsibility. No reports are made or required. No account or daily journal kept of the proceedings of the institution; the manufacturing department has not been properly attended to; there is no system of rewards or punishments, nothing suggested for the improvement of the condition of the pupils, no proper effort made to increase their knowledge of handicraft or to add to the means of acquiring such knowledge.

All efforts in this way seem to have been suspended ever since the project was started of having a new building and selling the old. Your committee are much inclined to think that this projected abandonment and removal to a more suitable building, to be erected on grounds already purchased, has shed a baleful influence over almost everything connected with the institution. It would seem that the officers, instead of looking at the present and conforming to immediate circumstances, endeavoring to make themselves and their pupils comfortable, keeping things in good repair and condition, and elevating the standard of discipline, order, cleanliness and efficiency throughout the institution, have apparently proposed to let the institution have its own way until they should establish themselves in their new quarters. The hope and expectation (frequently referred to) of soon having a new building, seems to have been an incubus, producing a careless, halting, halfway policy or system, which has affected not only the officers but has extended to the pupils themselves; a consequence natural and almost irresistible. That this is all wrong and has produced a moral evil not readily eradicated, is beyond dispute. As the case now stands it may be years before the new building will be ready for occupancy. Something must be done immediately or the institution will soon cease to be of any substantial good to the pupils. Some one should be placed in charge of the management who is qualified for such important duties; some one who knows what should be done and how to do it. He should be a man of large heart, cheerful disposition, cultivated mind, liberal views, capable of at once comprehending truly, in all their bearings, the responsibilities of his station and of discharging them. The institution is for a noble purpose, one of the highest and best that can command our attention. Whatever the State of New York may do relating to it should be done with a certainty that its honorable purposes are fully carried out.

D. STRONG, W. ANGEL, THOS. O. FIELDS,
Committee.

State of New York.

No. 90.

IN SENATE,

April 12, 1864.

GENERAL ORDERS.

576. An act taxing the dividends of Massachusetts stockholders in New York companies.
577. (Assembly bill No. 364.) An act to authorize the Woodside and Flushing Railroad Company to build a drawbridge over Flushing creek, and to regulate the weight of rail to be used by said railroad company.
578. (Assembly bill No. 399.) An act for the better protection of oysters planted in the waters of Richmond county.
579. (Assembly bill No. 157.) An act relative to land devised by John Tonnelle, deceased.
580. (Assembly bill No. 331.) An act providing for the publication of the second volume of the Results of Meteorological Observations, made under the direction of the Regents of University, from the year 1850 to the year 1865.
581. (Assembly bill No. 578.) An act to authorize the trustees of Kingston Academy to transfer its real and personal property to the Kingston board of education.
582. (Assembly bill 488.) An act to amend an act entitled "An act to incorporate the Windsor Bridge Company," passed April 23, 1823.
583. (Assembly bill No. 589.) An act to amend an act entitled "An act to amend an act passed April 10th, 1860, entitled 'An act to incorporate the Conqueror Hook and Ladder and Bucket Company, at Tarrytown, Westchester county,' passed March 31, 1862."
584. An act to authorize the sale and conveyance of certain lands of which Henry B. Smith, deceased, died seised, and to provide for the disposition of the proceeds thereof.

585. An act to authorize the city of Brooklyn to issue bonds and raise money for certain purposes.
586. (Assembly bill No. 658.) An act to authorize the construction of a railroad from Dunkirk to Fredonia.
587. An act for the relief of B. O'Connor and Roger Sullivan.
588. An act to authorize the construction by the Metropolitan Railway Company of the city of New York of a railroad in and under certain streets and avenues in the city of New York.
589. An act to authorize the construction of a railroad in Bloomingdale road, or Broadway, 125th street, 11th avenue, and other streets in the city of New York.
590. (Assembly bill No. 591.) An act in relation to cross-walks in the town of White Plains, in the county of Westchester.
591. (Assembly bill No. 197.) An act to amend an act entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," passed February 17th, 1848.
592. (Assembly bill No. 445.) An act to regulate the weight of water lime or cement in barrels.
593. (Assembly bill No. 454.) An act to incorporate "The Brooklyn Musical Saving and Loan Society."
594. (Assembly bill No. 643.) An act to revise the charter of the village of Dunkirk.
595. (Assembly bill No. 383.) An act to authorize the city of Troy to borrow money.
596. (Assembly bill No. 634.) An act to amend the charter of the village of Boonville.
597. (Assembly bill No. 442.) An act to amend an act entitled "An act to form a separate road district of all that part of the city of Albany lying west of Allen street, and to exempt the same from certain taxes."
598. An act in relation to the commissioners of emigration.
599. (Assembly bill No. 358.) An act authorizing the continuance of a dam across the Susquehanna river.
600. (Assembly bill No. 186.) An act to authorize the common council of the city of Albany to fund a debt incurred for relief granted to indigent families of persons ordered into the military service of the United States.
601. (Assembly bill No. 659.) An act to amend the charter of the Security Fire Insurance Co. of the city of New York.

602. (Assembly bill No. 388.) An act to authorize the laying out of a public highway in the town of Flushing, in the county of Queens.
603. An act for the relief of Ephriam Mills.
604. (Assembly bill No. 434.) An act to release the right, title, and interest of the State of New York of, in and to certain real estate of which James Tully died seised, to Mary Tully.
605. (Assembly bill No. 237.) An act to release the interest of the State in certain real estate of which John Stinson died seised, to Ann Hinion, Jane Shaw, William Stinson, and Robert Stinson.
606. (Assembly bill No. 340.) An act to increase the compensation of constables for the city of Brooklyn, and county of Kings, for their attendance in court when so required by the sheriff.
607. An act to confirm and legalize the official acts of Moses Ballou, a justice of the peace.
608. (Assembly bill No. .) An act to legalize and confirm the acts of Archibald Fisher, a justice of the peace of the town of Theresa, Jefferson county.
609. (Assembly bill No. 635.) An act releasing the interest of the State in certain lands of which Michael Birmingham died seised, to Bridget Birmingham.
610. (Assembly bill No. 189.) An act to authorize the enforcement and collection, by action, of judgments in county courts in favor of deceased judgment creditors.
611. (Assembly bill No. 252.) An act to enable Cyrus H. Giffin, Lucy V. Giffin, Julia Almina Bell, wife of Charles Bell, Edward Giffin, James Giffin, and Sophia Giffin, children of Horatio A. Giffin, an alien, deceased, to take and hold the real estate of which the said Horatio A. Giffin died seised.
612. (Assembly bill No. 639.) An act for the relief of Mary Evans, an alien.
613. (Assembly bill No. 456.) An act for lighting the streets of the town of Flatbush with gas.
614. (Assembly bill No. 570.) An act in relation to the police department of the city of Rochester.
615. (Assembly bill No. 225.) An act to incorporate the New York State Temperance Society.

616. (Assembly bill No. 410.) An act to revise and consolidate the general acts relating to public instruction.
617. (Assembly bill No. 41.) An act to provide for the appraisal and payment of damages sustained by James H. Childs and Allen Scoville, caused by the Erie canal enlargement.
618. (Assembly bill No. 471.) An act for the relief of George W. Cramer.
619. (Assembly bill No. 14.) An act to provide for the appraisal and payment of damages sustained by Jonas B. Huxley, in consequence of the Erie canal enlargement.
620. (Assembly bill No. 302.) An act for the relief of William McArthur.
621. (Assembly bill No. 446.) An act for the relief of John F. Curtis.
622. (Assembly bill No. 396.) An act for the relief of the town of New Lots, in Kings county.
623. (Assembly bill No. 552.) An act to change the name of the South Bainbridge Bridge Company, and to receive an increased amount of toll.
624. An act to incorporate the City Island Bridge Company.
625. (Assembly bill No. 574.) An act authorizing the sale of the Burlington and Utica Plank road.
626. (Assembly bill No. 586.) An act to amend the charter of the Citizens' Fire Insurance Company.
627. (Assembly bill No. 625.) An act to amend an act entitled "An act to incorporate the Market Savings Bank of the city of New York," passed May 5, 1863.
628. (Assem. bill No. 122.) An act to amend the charter of the Central City Savings Institution, located in the city of Utica, passed June 20th, 1851.
629. An act to provide for the repayment of moneys illegally collected by the Health Commissioners of the city of New York, and others under authority of law.
630. An act authorizing the erection of a new capitol.
631. (Assembly bill No. 207.) An act to amend an act entitled "An act to provide for building a bridge over Chambers' creek in the towns of Newburgh and New Windsor, in the county of Orange, and for making the present toll bridge over Murderer's creek, in the town of New Windsor, free," passed May 5, 1863.

632. (Assembly bill No. 668.) An act to incorporate the St. James Roman Catholic Benevolent Society.
633. (Assembly bill No. 879.) An act to amend "An act to incorporate the Long Island College Hospital of the city of Brooklyn," passed March 6, 1858.
634. (Assembly bill No. 280.) An act to incorporate the Home for Disabled Soldiers.
635. An act to enable the Onondaga Historical Association to purchase lands belonging to the people of the State of New York.
636. (Assembly bill No. 424.) An act to authorize the Canal Board to accept releases to the State from parties owning property adjacent to the Clark & Skinner canal in the city of Buffalo, and to authorize the improvement of the same.
637. (Assembly No. 528.) An act to provide for clearing out and enlarging the culverts conducting the water of Beard's creek and Samp's creek under the Genesee Valley canal, in the town of Leicester and county of Livingston.
638. (Assembly bill No. 426.) An act declaring the Erie basin, slips, piers, breakwaters and mechanical structures connected therewith, a part of the Erie canal.
639. (Assembly bill No. 368.) An act authorizing the Canal Board to hear and determine the damages sustained by Henry D. Dennison, contractor on the Oswego canal.
640. (Assembly bill No. 233.) An act authorising the appraisal and payment of damages of Richard Sanger and James Lynch, by reason of raising the water in the Oswego Canal.
641. (Assembly bill No. 216.) An act to provide for the appraisal and payment of damages to Clinton L. Colton, of the town of Lenox, Madison county.
642. (Assembly bill No. 470.) An act for the relief of Lewis Selye.
643. (Assembly bill No. 253.) An act providing for the appraisal and payment of the damages of William H. Cuyler, by reason of the Erie canal enlargement.
644. (Assembly bill No. 145.) An act for the relief of Samuel Minier.
645. (Assembly bill No. 537.) An act for the relief of Bridget Murtagh and James McGuire.

- 646. (Assembly bill No. 262.) An act to incorporate "The Sherburne Horse-thief Detective Society."
- 647. (Assembly bill No. 370.) An act providing for the appraisal and payment of the damages of Cocks and Harmon.
- 648. (Assembly bill No. 436.) An act for the relief of William Alford.
- 649. (Assembly bill No. 371.) An act for the relief of John B. Kline.
- 650. (Assembly bill No. 334.) An act for the relief of Samuel C. Smith.
- 651. (Assembly bill No. 584.) An act for the relief of the inhabitants of the village of Cuylerville, in Livingston county.

State of New York:

No. 91.

IN SENATE,

April 14, 1864.

REPORT

OF THE SELECT COMMITTEE OF NINE.

Mr. Cook, from the select committee of nine, reported the following bills complete :

(Assembly bill No. 39.) An act to amend an act entitled "An act in relation to the Justices' Courts and Police Courts in the city of Brooklyn," passed April 18th, 1862.

(Senate bill No. 188.) An act for the relief of the Bath and Coney Island Bridge Company.

(Senate bill No. 197.) An act to amend an act entitled "An act to incorporate the Atlantic Savings Bank of the city of New York," passed April 11, 1861.

(Senate bill No. 244.) An act to amend the "Act to establish fire limits, and for the more effectual prevention of fires in the eastern district of the city of Brooklyn, passed April 17, 1860."

(Assembly bill No. 104.) An act to amend an act entitled, "An act to provide for the compensation of a clerk for the Treasurer of the county of Kings," passed April 11th, 1859.

(Senate bill No. 258.) An act to amend an act entitled "An act for the preservation of moose, wild deer, birds and fresh water fish," passed April 23, 1862.

(Assembly bill No. 151.) An act for the relief of the Wood-lawn Cemetery.

(Senate bill No. 263.) An act to amend the charter of the Citizens' Savings Bank of the city of New York.

(Senate bill No. 237.) An act to amend an act entitled "An act for the incorporation of life and health insurance companies, and in relation to agencies of such companies," passed June 24, 1853.

(Senate bill No. 351.) An act to amend the act to provide for the incorporation of fire insurance companies, passed June 25, 1853, in regard to the investment of their capital and surplus profits.

(Assembly bill No. 194.) An act to authorize the North Shore Railroad Company to construct a drawbridge over Little Neck creek, and fixing the weight of rail to be used by said railroad company.

State of New York.

No. 92.

IN SENATE,

April 9, 1864.

ANNUAL REPORT

OF THE DE VEAUX COLLEGE FOR ORPHAN AND DESTITUTE CHILDREN.

To the Hon. the Legislature:

The trustees of the De Veaux College for Orphan and Destitute Children, in pursuance of the terms of their act of incorporation, respectfully submit their

ANNUAL REPORT.

The funds of the institution consist of \$162,011.88 of principal yielding income, and real estate estimated at \$22,300, exclusive of the domain. The domain consists of 330 acres, on which the college edifice has been erected. During the past year \$2,989.37 have been expended in the erection of a barn, woodhouse, and other out-buildings, and fences on the premises, making the whole amount expended in buildings and improvements on the domain, \$24,321.96.

The income received during the year was \$12,049.08, which with \$4.13, the balance of income on hand, make the amount of \$12,053.21.

The expenditures for the year were \$12,052.83. This money was expended for the support and maintenance of the institution.

Thirty-five boys were trained and instructed in the institution during the year, and wholly supported by it. Eleven boys were honorably discharged from the institution during the year, having acquired sufficient education for all practical business purposes, and completed their college course. Eleven other boys have been admitted to the college.

The course of instruction and government presented in former reports is still pursued.

All which is respectfully submitted.

WILLIAM SHELTON,

President, pro tem.

ELIJAH FORD,

Secretary.

January 21, 1864.

State of New York.

No. 93.

IN SENATE,

April 13, 1864.

COMMUNICATION

FROM MAJOR GENERAL DIX, RELATIVE TO THE ARREST OF
HAWLEY D. CLAPP.

HEADQUARTERS, DEPARTMENT OF THE EAST, }
New York City, *April 11, 1864.* }

Hon. CHARLES J. FOLGER, *Chairman*:

Sir—Your note of the 9th, inst., was received yesterday, and it affords me pleasure to furnish you with the facts and circumstances attending the arrest and imprisonment of Hawley D. Clapp.

When your note came to hand, I was completing a report to the Secretary of War, (a copy of which, with accompanying papers, I inclose) giving a detailed statement of the atrocious frauds committed upon recruits in this city, and particularly at Lafayette Hall, where Mr. Clapp was the principal bounty-broker, one of a class of agents, who were brought into existence by the system adopted by the committee of the board of supervisors, for procuring recruits, whose services were entirely unnecessary, and whose principal vocation, either by their own direct action or through confederates, was to cheat men entering the service, out of their bounties. The committee, when the frauds had become too palpable and too extensive to be borne, obviated the evil, as far as they could, by the adoption of proper precautions, but not until a military order had been issued, requiring the full amount of bounty to be paid to the recruit.

My report to the Secretary of War, enters into a full detail of these transactions, alike disgraceful to those who were concerned in them, and to the community in the bosom of which they occurred. Mr. Clapp received from the committee of the supervisors,

[Senate, No. 93.]

the bounties for a large number of recruits, (\$300 each) who, as shown by testimony satisfactory to me, were cheated out of the greater part of it, by him, or the parties confederated with him in the business. As the money was paid into his hands, I consider him responsible for it; and I have deemed it my duty, whenever a clear case of fraud was made out, to see the soldier redressed, if possible.

It is only by the summary process of a military arrest, that these fraudulent transactions can be reached. If they are brought into the civil courts, all remedy is hopeless. The recruits are the only witnesses, and the exigencies of the country will not permit them to be kept from the field.

The only alternatives, therefore, were to allow these stupendous frauds to go unredressed, to let the patriotic men, who are offering their lives on the altar of their country, be robbed of the provision which their fellow citizens have made for their families, and to suffer the plunderers to escape with their ill-gotten gains, or to take, as I have done, some of the principal agents in these frauds into custody, to be held till they make restitution.

The amount of which recruits were defrauded at Lafayette Hall, where and while Mr. Clapp was chief broker, cannot fall short of \$400,000. I have succeeded in recovering about \$20,000, and am not without hope of adding largely to the amount.

I am fully aware of the responsibility I have taken in these cases, and that the exercise of the power of arrest is only warranted by the circumstances in which the country is placed, and the special facts which my report to the Secretary of War discloses. It has been exerted in a few cases only, and with the confident assurance in each, that I should be sustained by the Government, and by the public judgment.

Although it is technically true, as Mr. Clapp states in his petition to the Legislature, that "he has not held at any time office under the Government, or had any contracts with the Government" itself, he stood in his capacity as bounty broker, in relation to the military service, of which he seems to appreciate neither the scope nor the force. Lafayette Hall, in which his agency was transacted, was occupied for military purposes; it was guarded by sentinels, and the acts for which he was arrested, were performed within the lines; it was, for all essential purposes, a camp, and he was within it, furnished with office room and other conveniences for himself and clerks, and engaged in paying recruits

their bounties as chief broker, under an appointment, not directly from the Government, but from General Spinola, the commanding officer. He was personally engaged in services of a strictly military character, and standing in a much nearer relation to the Government than many classes of camp followers and retainers, who are by act of Congress, subject to martial law. My own judgment is strongly inclined to the conclusion, that he may be tried by court martial; and if he has not been brought before one ere this, one chief reason is, that I desired to satisfy myself by consulting the course of proceedings in analogous cases, that I should not err in holding him to account before such a tribunal for the acts with which he is charged.

Almost every imaginable form of outrage and deception has been developed in the cases, in which Mr. Clapp was agent for the payment of bounties. Men, both white and colored, were offered employment as teamsters, wagon-masters and officers' servants, receiving from \$20 to \$50, as "pay in advance," and finding themselves enlisted as private soldiers, while Mr. Clapp received from \$300 to \$315, in each case. With what confederates the money was divided, he and they only can tell.

I have considered it enough that it was received by him, and not paid to the recruits, who were entitled to it. In some cases, boys have been seduced from their homes to secure their enlistment; in others, men have been drugged, and enlisted while unconscious; in others, they have been promised furloughs, and, where the full bounty was not paid, they have been told, that they would receive the balance, as soon as they arrived at Riker's Island. In short, there is no artifice or fraud which has not been resorted to, in carrying out this system of pillage. In one case reported to these headquarters, by Mr. Supervisor Blunt, Mr. Clapp was compelled to make restitution, and his conduct was such that he was not allowed to transact business with the supervisors in his own name, but continued it in the name of other parties.

I feel convinced that no class of men would be likely to take part in these outrages upon our gallant soldiers, or sympathize with the perpetrators, unless they cherished a secret sympathy with those who are endeavoring, by force of arms, to overthrow and destroy the government of their country.

Mr. Clapp has been treated since his confinement, with a leniency he does not deserve. He has had the same food as the men

whom he has defrauded, and is much more comfortably lodged and sheltered. His counsel has been permitted to hold two private interviews with him, a privilege not usually granted to the inmates of Fort Lafayette. I have indulged the hope that he would consent to disclose the names of others, more prominent than himself, who are believed to have participated in his fraudulent gains. He is not held for this purpose alone, but with the further view to compel complete restitution to those he has wronged, when the extent of the frauds in which he is implicated, shall be ascertained, and also for trial and punishment, if it shall be decided that he is amenable to a military court. It has afforded me pleasure to comply with the request of your committee, and I earnestly hope that the disclosures I have made, may lead to some legislative provision to secure to recruits, the bounties intended to be paid to them. I take the liberty of stating, that in some instances, the authorities of towns have, of the \$300 raised for bounties, voted \$100 to the recruit, and \$200 to the broker or runner; a temptation to cupidity, which has led to every species of unfairness, deception and fraud.

I am satisfied that the Legislature could never have anticipated so gross a wrong to recruits, to tax payers and the public service, and that suitable restraints will be imposed upon local authorities.

I have the honor also to transmit herewith, a certified copy of the order under which Mr. Clapp was sent to Fort Lafayette, by Brig. Gen'l Stannard, commanding New York city and harbor.

I am very respectfully, your obedient servant,

JOHN A. DIX, *Major General.*

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK CITY, *April, 1864.* }

Hon. E. M. STANTON,

Secretary of War, Washington, D. C. :

Sir—On the 2d of January, I addressed a communication to you in regard to recruiting frauds, and enclosed a copy of another which I addressed on the same day to Col. Fry, Provost Marshal General.

When I was informed that recruits were defrauded of their bounties at Lafayette Hall, I sent for General Spinola and com-

municated to him the information I had received. He denied the truth of the statements, and assured me that the recruiting regulations were fully complied with; that no man was enlisted without being fully apprised of the nature of the service in which he was engaging; that no recruit was defrauded of his bounty, and that where a less sum than that allowed by the county was paid, it was always by voluntary and amicable agreement with the broker. I had no authority, as commander of the department, to interfere with the recruiting service; but the repetition of the complaints of fraud became so frequent, that I felt it my duty to interpose, so far as to ascertain what ground there was for them. Besides the wrong to recruits in defrauding them of their bounty, I found that men were induced to enlist by false representations from the broker, through whom they were presented, and that persons physically disqualified for military duty were mustered into the service in great numbers. Old men, boys and persons laboring under incurable diseases were, in numerous instances, thrust into the service under this system of public plunder, alike fraudulent to the recruits and the government.

I sent for General Spinola several times, and always received from him the assurance that all was fairly conducted by the officers at Lafayette Hall. The evidence to the contrary became so conclusive, that I directed Lieut. Cole and the contract surgeon, Dr. Kerrigan, to be arrested. They have since been tried; the former dismissed the service, and the latter, who holds no military commission, disqualified for future employment. In my interviews with General Spinola, I objected to the whole system of brokerage, as calculated to prevent instead of promoting enlistments. It was my opinion that public complaints of fraud in the payment of bounties, would in many cases deter men from presenting themselves as volunteers, and that the ranks of the army would be filled with recruits who, feeling that the Government had permitted them to be cheated by its own officers, would be very apt to consider themselves released from their engagements, and would not hesitate to desert at the first opportunity.

General Spinola defended the system of brokerage, and said that without it the Government would get no recruits. The result has been precisely the reverse. Since measures have been taken to secure the recruits the whole bounty to which they are entitled, the number of enlistments has been greatly augmented,

and a better class of men secured. See letters from Gen. Jackson and Capt. Shannon, A. A. G., marked "A" and "B."

The bounty, in the payment of which these frauds have been committed, is that paid by the city and county of New York, amounting to \$300 per man with a fee of \$15 to the person presenting the recruit, in case the recruit be white. About 2,000 men were recruited by General Spinola before he was relieved from the recruiting service. The average amount of bounty paid to them, as he stated in an explanation volunteered to one of my staff officers, (see letter of Major Halpine, A. A. G., marked, "Exhibit C") and as further examinations showed, was about \$100 per man. The other \$200 per man, has been plundered by brokers and their coadjutors. Of the \$600,000 which should have been paid to these recruits, they only received about \$200,000, and the enormous sum of \$400,000 has been plundered by brokers and their associates.

It is one of the most stupendous frauds ever committed in this country. The funds from which the bounties were intended to be paid, were raised on securities which are a lien upon the property of the city. The bounty was intended to go to the recruit as an inducement to him to expose his life in upholding the Government against treason, and as a provision for his family. It has gone for the most part into the hands of public plunderers, some of whom are of notoriously infamous character, and one of whom is known to be a liberated convict, who has been an inmate of the States prison. Among the men engaged in these frauds was Theodore Allen, who was brought to my headquarters and refunded \$200 taken by him from a recruit. Other cases of fraud committed by him were subsequently brought to my notice, and orders for his arrest were given, but he has eluded the pursuit of the officers of justice. I annex a letter from the superintendent of the police, (marked "Exhibit D") stating that he "has been known to the police of the city for at least ten years," that "his reputation in the force is that of a thief;" and that he kept "a gambling house before engaging in the substitute broker business." This man swears that "he was well known to Mr. Brennan, the comptroller, and to the supervisors," and that, "through the friendship of the comptroller, and at his suggestion, and with the approval of the supervisors, these enlistment blanks, thus countersigned (see next paragraph) were given by the supervisors in person to deponent (Allen.) This man may be regarded, in his

leading characteristics portrayed by the superintendent of police, as a type of the group of depredators who were engaged in plundering recruits.

The system inaugurated by the committee of the board of supervisors was, unfortunately, well calculated to give effect to these frauds. Papers were issued in blank and authenticated by the signature of one of the committee, and it was only on the return of these papers, in each case, that the bounty was paid. It was paid by them to the broker, and not to the recruit. The papers were given only to a limited number of persons, so that the business of furnishing recruits and of plundering them of their bounties was, to a great extent, a monopoly. I called the attention of the chairman of the committee of the board, at an early day, to the mischievous consequences of this system, and the committee subsequently remedied it by requiring the broker, or holder of the paper, before paying him the bounty, to produce a certificate of a mustering officer that it had all been paid to the recruit; but the old practice was continued without redress, until the enormous sum I have mentioned was obtained, through deception and fraud, by the holders of these papers, which were, in effect, drafts at sight on the supervisors; and so valuable were they considered, that they were in many cases, sold at a premium of from \$25 to \$75 by the first holders, the purchasers relying on his ability to cheat the recruit out of a sufficient sum to repay the premium, and make a handsome profit for himself.

General Spinola, while defending the conduct of his officers, and asserting the salutary working of the system of brokerage, requested me to send some of my staff to Lafayette Hall, to see in what manner the business of recruiting was conducted. Several of them were sent by me at different times, and it was on their statements that Lieutenant Cole and Doctor Kerrigan were arrested and brought to trial: See statement of Captain Rives, A. D. C., herewith transmitted, marked "Exhibit E." The officials by whom this system of fraud was continued, after they were cognizant of the frauds committed, and who permitted it to go on without interposing their authority to arrest it, must be held, under my view of the subject, as participators in the wrong, even though they may have derived no pecuniary benefit from it. The whole system is a stain upon the community in which it has been tolerated, and the disgrace can only be removed by the most determined and persevering efforts, not only to bring to punish?

ment all concerned in it, but for recover to the gallant men who are exposing their lives in the field, to preserve the existence of the government, the money of which they have been defrauded by heartless villains, who have neither the virtue nor the courage to sustain the country against its enemies, but who make a mercenary and criminal profit by plundering its defenders.

I have not hesitated, when these frauds have been clearly proved, to arrest the perpetrators, and to hold them in custody until they have repaid the amounts they have fraudulently obtained, satisfied that I should be supported in so doing, by the Government and the public judgment. I have recovered and paid over to the parties defrauded, or deposited in bank until their orders for payment can be obtained, about \$20,000. I hope to secure a much larger amount; and I desire to acknowledge the very efficient aid I have received from Marshal Murray and his deputies, in arresting the criminal authors of these frauds and compelling restitution.

I found in numerous instances, that the brokers have made written contracts with recruits, to enlist for sums less than the bounty allowed by the city and county. I have treated all such contracts as void, for want of consideration; and in nearly every case, an investigation has shown that they were obtained by false representations.

The outrages practiced on recruits are too intolerable to be borne with equanimity, and in some cases, too loathsome to be detailed.

Boys have been seduced from their families, enticed into oyster houses, drugged, and then enlisted in a state of semi-unconsciousness. Two were so badly drugged that they died, one, the very night of their arrival at Riker's Island, and the other on the following day. I have taken, in some of the worst cases, the responsibility of discharging these boys, where subsequent medical examinations showed them to be unfit for active service, requiring them to refund all the bounty left in their hands by the plunderers. It is deeply to be regretted that in nearly every instance the latter succeeded in eluding detection.

The brokers and runners have frequently, in order to facilitate their schemes of depredation, put on the uniform of the army, representing themselves as officers authorized to enlist recruits, promising them furloughs after their enlistment, and inducing them to leave the greater part, sometimes nearly the whole, of

the bounty in their hands. In such cases, I have not only compelled them to repay the moneys thus fraudently obtained, but taking them at their own word as members of the army and requiring them to produce their commissions, and their authority to recruit, I have, on their failure to sustain the assumed character, sent them to the forts as *prima facie* deserters.

These stringent measures have nearly broken up this whole system of fraudulent recruiting. But a great wrong has been done to individuals and the service, and it is impossible, wholly, to repair it. I shall, nevertheless, persevere in my efforts to discover all the guilty parties, and to compel restitution wherever the evidence is sufficiently clear to warrant the exercise of the requisite authority.

I have the honor to be, very respectfully,

Your obedient servant,

(Signed,)

JOHN A. DIX,

Maj. Gen. Commanding.

Official copy.

CHAS. G. HALPINE, *Major and Asst. Adj. Gen.*

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK, *February* , 1864. }

Brigadier General JAMES B. FRY,

Provost Marshal General, Washington, D. C.:

Sir—In reply to your communication of February 8th, I have the honor to state the following in relation to the recruiting in this city, at Lafayette Hall, under the superintendence of Brig. Gen. F. B. Spinola, U. S. Vols.

In the latter part of November, a great many complaints were made to Major General Dix, in reference to the manner in which enlistments were made. These complainants were generally the father, mother, sister, brother, or some near relation, and in the case of negroes, their employers. They stated that the recruits had been swindled out of nearly all of their bounties by brokers, who carried on their business openly at Lafayette Hall; that these brokers would tell the recruits that they would give them the remainder of their bounties when they arrived at Riker's Island, but in no instance did the recruits receive it.

In some case negroes were taken there with the understanding that they were to be hired as hostlers to take care of some gentle-

man's horse. Such was the case of Anthony Riker, William *alias* Joseph White, Evart D. Keaton, (cases before a general court martial for the trial of Lieut. Cole, the mustering officer,) and many others. The affidavits in the cases have been sent to the War Department. In all these cases (Riker, White and Keaton), they testified that they were taken to Lafayette Hall to become hostlers, and not for the purpose of becoming soldiers. That in the case of Riker, he was promised \$25 a month; he signed his name to some papers which he thought was the contract; that he was not sworn into the service of the United States; and had no idea he was a soldier until he started to go away, when the guard stopped him. They (brokers) gave him but \$14. The cases of White and Keaton are the same. The mustering officer did not explain anything to them. On the 28th of November, Vincent Ruelland, a sailor of the French corvette "Tissiphone," then lying in the harbor of New York, was drugged by them, and taken to Lafayette Hall, and, while drunk, was enlisted. On the 27th November, L'Hote and Angel, sailors, of the same vessel, were made drunk, and taken by brokers to Lafayette Hall, and enlisted. These men could not speak a word of English, and were so drunk that they could hardly stand, and their signatures to their enlistment papers will prove conclusively that they were drunk. They were in almost full uniform. After this happened, complaints were made to us by the French Consul in this city. I was sent by General Dix to go to Lafayette Hall, and see how they done business. I went, I think, on or about the last of November 29th, perhaps 30th. I was in citizen's dress, for I did not wish them to know me. I saw a great crowd of brokers, who seemed to have full sway. A few days after this I went there again, but as soon as I had entered the room I heard some one screaming. I went immediately to the place from whence it proceeded, which was near the desks where the mustering was going on, I found there a negro boy about 18 to 20 years of age, being held by some men dressed in uniform and whom I took to be guards. I had already received complaints of men being enlisted there against their will, and took this to be one of the same. I considered it my duty to throw off all disguise, and prevent it if such was the case. I went to the soldiers who were holding him and asked what they were doing to the boy. They said it was none of my business. I then told them who I was, and ordered them to let the negro loose. I then asked the negro

what they were going to do with him; he said that they were trying to make him enlist as a soldier, and that he did not wish to be one. I then told an officer who was present, (I do not know his name,) and I thought on duty, to have the negro sent away, which he did. No one paid any attention to this, for by the way they acted it seemed to be a common occurrence. The screams of the negro could be easily heard on the street. I left immediately and reported the fact to head quarters. I testified to all this on the court martial in the case of Lient. Cole. He brought General Spinola and Captain Hanley, A. A. general of his staff to testify that they remembered this circumstance, and they testified that it took place in the latter part of December, certainly after the 24th. I testified that it took place before the 11th of December, and I thought about three or four days after my first visit. I did not see General Spinola on this occasion, as he said I did. I remember the case which he refers to, but but it was a different one from which I testified to.

At another time, I do not remember the day of the month, but was in December, (I took note of this with the names and day of the month,) I saw General Spinola, in person, swear a recruit who was so much under the influence of liquor that he could hardly stand. I saw the man's condition before he was sworn in, and kept back so I would see if they would swear him in that condition; and as soon as I saw General Spinola swearing him in (in person), I went up close, (he did not see me), and heard all that was said. The man was not asked if he wanted to be a soldier; his hand was held up while the oath was being read, but he made no reply to it for his condition was such that he could not understand. I said nothing to General Spinola in reference to this. On the same day I saw a person on the bench about 17 to 19 years of age, who was about five feet high. When the papers were brought up, enlistment papers, the boy's height was put down, as General Spinola said, as five feet two inches. He ordered the orderly to have the boy measured again. I went and saw him measured without General Spinola seeing. The boy measured four feet ten and a half inches, and he moved his head easily under this measure. He was then taken back to General Spinola, and the man said he measured about five feet two. General Spinola said put him down five feet three, I reckon he is that. The mustering officer would ask the recruit in some case, "are you satisfied with your bounty that you have?" and

they would say yes, for the brokers told them that they were entitled to only so much, and the mustering officer did not tell them as a general thing how much they were entitled to, but simply asked the question "have you received your bounty and are you satisfied with it?" The negroes who were going as hostlers, did not know what this meant. I spoke to General Spinola on several occasions in reference to this. He said he did not care whether a recruit received a cent or not, and he would take a man if he did not get a cent. Hawley D. Clapp had a man in Lafayette Hall to cash the assignment papers of the brokers. This man had a clerk, and I did not know until some time after my first visit, that this man (C. B. Ellsworth), was not employed by the Government to pay bounties. This man testified in the court that he was employed by Hawley D. Clapp to cash these papers.

Patrick Burns testified that Hawley D. Clapp made from \$25 to \$50 off of each recruit's papers, on an average about \$50, and that the brokers made \$100; such is not the case, for all the affidavits will show that they made almost \$200, and in some cases 320 odd dollars. Anthony Riker only received \$14; Joseph White (alias William), \$40; Vincent Ruelland \$1 (one); Charles S. Rone (Rosey), \$40; Evart D. Keaton \$25, and John Santo none. Santo belongs to the 10th U. S. infantry, (a musician); he had a furlough, came to New York from his regiment at Fort Lafayette, was made drunk by some runner, taken to Lafayette Hall, and was enlisted. He had his furlough in his pocket. He does not recollect anything from the time that he was made drunk until he found himself on Riker's island, two days afterwards. All the affidavits will prove that the recruits as a general thing receive but about fifty dollars, and that the brokers were always encouraged. The brokers would tell the men (recruits), that they would pay them the remainder as soon as mustered. All the mustering officers and General Spinola knew of this swindling, for the name of Lafayette Hall and its swindling, was a byword in the mouth of every one. General Spinola was present during the day from 12 m. until night. He saw drunken men daily in the hall, and on the eve of being mustered. Yet these men were never sent away, but were mustered. I know of several cases where he saw me, and sent the drunken men away, yet I never saw a case where a man was not mustered because he was drunk, unless some of the officers of Lafayette Hall saw

me there. I noticed this fact in particular. I have seen many men mustered who were under the influence of liquor. When I was there in disguise, for the first three or four times and before my face was familiar, to see drunken men awaiting to be mustered was anything but common. But when my face was known the men would be hurried out and kept there until I left, and I suppose they were then brought back and mustered. I never saw the men (recruits), questioned properly; they were intimidated by the brokers, and the brokers were assisted in this by the various officers at Lafayette Hall. P. B. Marsh (late detective to Brig. Gen. Hays), testified that he went to see General Spinola in the case of Vincent Ruelland. He asked him (General Spinola), if it was not the duty of the mustering officer, when the party (recruit), could not read, to read the enlistment papers to him, that he (recruit), might know what he was signing. General said, "Damn it, if we did that we could not recruit twenty men a day." I (Marsh), then asked him how it was in the case of the French sailor, Ruelland, that could neither read, write or understand a word of English? he (Spinola), said "Oh, damn it, he signs his name." About the first part of January last, while passing along by the Metropolitan hotel, which is nearly opposite to Lafayette Hall, I saw a boy, apparently about eighteen years of age, coming down the street, (Broadway). He was seized by two runners, (one taking him by the feet and the other by the body,) who tried to carry him across to Lafayette Hall. They had got as far with him as the middle of the street, when his cries and screams attracted so many persons that the runners dropped him and ran into Lafayette Hall. Colonel Van Buren, Asst. Adj. General to the head-quarters, Dept. of the East, witnessed a similar occurrence in the passage way of Lafayette Hall, and made the parties release the man. The sentinel who was stationed at the door paid no attention to this, for the reason that it must have been a common thing. I have received complaints of parties (negroes), who were taken by force to Lafayette Hall and confined there under guard, and did not receive anything to eat until they consented to enlist as a soldier.

These complaints have been sent to the War Department in the form of affidavits.

Major Halpine, of General Dix's staff, has also made a statement which is enclosed. I also forward the letter of Mr. Schultz and detective Kelsy, which will give some information. I would

suggest that Brig. Gen. Hays, provost marshal of New York, could, I think, give a great deal of information. The enlistments as carried on at Lafayette Hall, is in the mouths of every one, and with the information now before you I think that it will not require much thought as to who are the guilty parties.

I have the honor to be, sir, very respectfully,

Your obd't serv't,

(Signed,)

WRIGHT RIVES,

Capt. and A. D. C.

Official copy.

CHAS. G. HALPINE, *Major and Asst. Adj. Gen.*

OFFICE OF SUPERINTENDENT OF THE METROPOLITAN POLICE, }
300 MULBERRY STREET, NEW YORK, *Feb'y 17th, 1864.* }

Major General JOHN A. DIX, New York:

Sir—In reply to your enquiry of yesterday I have to state, that the person Theodore Allen, has been known to the police of this city, for at least ten years; his reputation in the force is that of a thief, but he has never been convicted, although arrested and held several times. He was lieutenant in the 25th Regiment, N. Y. S. Vols., Col. Kerrigan, and served his time out. On his return he opened a gambling house in Greene street, and subsequently engaged in the substitute brokerage business.

Very respectfully yours,

(Signed,)

JOHN A. KENNEDY,

Superintendent.

HEADQUARTERS, DEPARTMENT OF THE EAST, }
April 12th, 1864. }

A true copy.

D. T. VAN BUREN, *Col. and A. A. G.*

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK CITY, *February 18th, 1864.* }

To Major General JOHN A. DIX:

General—During the progress of the investigation as to the conduct of affairs at Lafayette Hall, made by me, under your instructions, I was waited upon by General Spinola, who volunteered a statement in explanation and vindication of the manner in which recruits had been enlisted at that place. This state-

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ment was volunteered on the part of General Spinola, and was by me deemed so important that I took down on paper, notes of its most important points, as he spoke, begging him to talk slowly and pause at the end of each sentence, until I had so recorded his words. Of that statement, in its more important features, the following is a synopsis.

GENERAL SPINOLA'S STATEMENT.

Bad as things are in New York, they are much worse in the New-England States. My object is to fill my brigade, and without the help of the brokers this cannot be done. In New England, the towns, cities and counties take an assignment of the United States bounty and State bounty from the recruit, cash them, and give the whole to the brokers. They are not particular as to whom, or what class of men they take, their object being to fill up their quota. Thus a Mr. James Lee, a broker at Lafayette Hall, had three men rejected by my examining surgeon, whom he subsequently took east, and, on his return, told me that he had cleared \$1,250 on them. In this manner recruits are taken away from New York at the rate of from 100 to 150 per diem. Not long ago a broker brought down from Dunkirk 28 men, and offered them at Lafayette Hall. On being told that (owing to investigations that were being made) he would have to pay the \$300 county bounty into each man's hands, this broker replied: "I spent \$1,200 and three weeks of my time getting them—how am I to get paid?" He then took them east and will, doubtless, receive for each of them a full county, State and United States bounty, somewhere between \$700 and \$800, less the sum of \$125 per man, which they had agreed to take. These cases are of daily occurrence. General Spinola knows of a case in Brooklyn, where a person, called Hand, had his son taken from him, only fifteen years of age. The broker took him to New Hampshire, and came home in a few days with \$450, and the boy sent home \$200. The General says that, he has cases every day where recruits refuse, peremptorily, to take more than \$150, even when offered, and pressed to receive the whole amount. They say, "No, we have \$150 and will receive \$300 more on Riker's Island, and we do not want any more; we prefer to give away the balance." Had one case a few days ago in which a boy received \$100 from the broker, the broker keeping \$200 for himself. This boy wanted to pay him \$50 more, only leaving himself \$50. He was

forcibly restrained from doing so by the officers in Lafayette Hall, but he rolled up a fifty dollar bill, and threw it over the railing to the broker, insisting that he wanted to give it to him. This boy while doing this was, in General Spinola's judgment, perfectly sober.

A gang of sharpers have enlisted, and are now on Riker's Island for gambling purposes, and they "skin" fellows of every cent they bring there. There is a great deal of gambling on Riker's Island.

General Spinola says that he tried hard, at first, to get the recruits paid by the supervisors' committee, but they were kept there all day, and sent away without their money; the offices were so far apart (i. e. Lafayette Hall from the county court rooms) that it would have taken a detail of 500 soldiers to carry the recruits to and fro.

General Spinola has seen Supervisor Orison Blunt advance, out of his own pocket, the money to start fresh volunteer brokers, taking their due bills for its payment. He has heard Blunt say, repeatedly, in the presence of Hawley D. Clapp, himself and others, that, "he did not care a damn if the recruit did not get \$5; what he wanted was to fill the quota, and get rid of the damned draft." Blunt gives the papers, (see Appendix A and B) authorizing these brokerages to everybody, and anybody who will apply. They are printed certificates of muster, to be signed by the mustering officer, and an assignment of bounty to the broker, to be signed by the recruit. There is another assignment from the broker to Orison Blunt, who, on this latter document, draws money from the comptroller.

General Spinola has no doubt that very many payments have been made on forged papers by the county committee. It is easy. There is only one name to be really forged—that of the mustering officer, with whose signature it is impossible for Mr. Blunt, or those acting in his behalf, to be very well acquainted. The other signature upon the paper, that of the recruit, there is no means whatever of verifying.

It has also to General Spinola's knowledge been a common practice to change men between Lafayette Hall and Riker's Island. The brokers present a man who is rejected, having all his papers, however, duly made out before presentation. They then send in a second, sound and healthy man, under the same name, have him passed by the doctor, and then between Lafayette

Hall and Riker's Island, by the connivance of the guard, or otherwise, substitute the rejected man for the sound man; and this has taken place repeatedly. He has now one case in which he knows this to have been done, and in which he is endeavoring to cause the arrest of the party engaged in the swindle.

The appointment of Hawley D. Clapp to be chief broker at Lafayette Hall took place in this way. When General Spinola found that the supervisors would not or could not pay the \$300 county bounty to each recruit, he said to Mr. Clapp, "Here is a good thing," and gave to him and his clerks permission to have an office, with desks, tables, &c., in Lafayette Hall. Clapp only takes as his share, in each case, the \$15 recruiting fee, as payment for the loan of the \$300 until such time as he can get the assignment cashed by Mr. Blunt. Is of the opinion that the board of supervisors will insist upon its going on in just this way.

General Spinola says that he was not satisfied with the manner in which one of the doctors in Brooklyn did business; that he knows he was in the habit of signing certificates of physical fitness in blank, and allowing them to be filled up by his assistant; did not like this assistant; thought he was "on the make," and passed men for money paid by the brokers; he did not however arrest either the doctor or his assistant; has now at his house one of these certificates, signed in blank by this doctor; thinks that if the broker system be broken up that recruiting will come to a dead halt; claims that of the 2,000 men enlisted at Lafayette Hall, previous to this statement, they have averaged a receipt of \$100 per man; thinks \$200 for the broker not too much, as they have in some cases to bring the recruits from Canada, New England, Pennsylvania, Ohio, and elsewhere; is satisfied further that it is not for the good of recruits to have much money paid to them, as they will only buy whiskey with it and get intoxicated.

The General desires that I should see Brig. Gen. Nelson Taylor, Lieut. Col. Daniel Mann, and some other officers, who have been cognizant of the mode of doing business at Lafayette Hall, whom he would send to me. He expresses anxiety that this report should be fairly made, as, otherwise, it might injure his standing as an officer. If he has committed any errors they have arisen solely from his desire to fill up his brigade as rapidly as possible, in order that he might return to the field,

I have further to report, that I had interviews with Mr. Hawley D. Clapp, Captain Hanley, assistant adjutant general to General Spinola and mustering officer at Lafayette Hall, Lieut. Col. Daniel Mann, and several other officers detailed on recruiting service at Lafayette Hall, sent by General Spinola to offer their testimony.

In their statements there was, apparently, full corroboration of all of General Spinola's views in reference to the matter, but no new facts of sufficient importance to claim special attention.

I have the honor to be, General,

your obdt. servant,

CHAS. G. HALPINE,

Major and A. A. Gen.

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK CITY, *February 22, 1864.* }

Brig. Gen. G. I. STANNARD,

Commanding U. S. Troops N. Y. City and Harbor:

General—I am commanded by Major General John A. Dix to direct that you will take charge of Mr. Hawley D. Clapp, and confine him within Fort Lafayette, pending further orders from the War Department in his case.

The charges against Mr. Clapp go to show that he has been portion of a system by which thousands of recruits have been grossly and scandalously defrauded of their bounty money, at Lafayette Hall, and under which unfit men, drunken men, and men suffering under insensibility produced by opium, have been illegally sworn into the service of the United States, and then defrauded of their bounty.

I have the honor to be, General,

Your very obd't serv't,

(Signed,)

CHAS. G. HALPINE,

Major and A. A. Gen.

P. S. By further command of General Dix, General Stannard will immediately place Mr. Hawley D. Clapp under charge of an officer, who will be responsible for his delivery at Fort Lafayette before sundown this evening. The officer in charge will allow Mr. Clapp to make such purchases as appear necessary,

and also to visit his counsel, Mr. James M. Smith, in Chambers street, but to make no other visit.

Very obediently,

(Signed,)

CHAS. G. HALPINE,

Maj. and A. A. Gen.

Official copy.

CHAS. G. HALPINE, *Maj. and A. A. Gen.*

HEADQUARTERS, DRAFT RENDEZVOUS, }
RIKER'S ISLAND, N. Y. H., Feb. 29, 1864. }

General—I have the honor to make the following statements concerning the affidavits of recruits, which have been taken at these headquarters during the past three months.

In the month of December there was a continual stream of complaints from the men relative to their bounties; some in the form of written communications, some verbal statements through their company and battalion commanders, and many through the provost marshal. At first these complaints were not much noticed, because it was not clear how the evil could be remedied here. The men appeared on the rolls as having been properly enlisted, and there was nothing beyond their own statements to show that they had not received the full bounty to which they were entitled. However, the complaints soon became so numerous that the practice of taking affidavits was begun, although with little expectation of recovering the bounties of which it was evident so many had been robbed.

The applicants to have their affidavits taken steadily increased in number, and a special clerical force was employed on this work. It is no exaggeration to say that the office was frequently thronged with recruits, anxiously waiting an opportunity to make their statements. Frequently civilians came to the island in search of relations that had been missed, and when found would bring them to the office, and solicit for them the privilege of making their statements. And, in this connection, the fact may be stated, as it indicates the kind of recruits that were being furnished there, that the father sought and found his missing son, and the son his missing father.

The tenor of these affidavits was generally the same, fraudulent enlistment of recruits, and little or no bounties paid them. The amount of treachery and baseness which they disclose seems

almost incredible. Persons who supposed they were hiring themselves to a few months service as waiters, coachmen, sailors and mechanics, suddenly found themselves bound to a three years' term of military service. Many, who had been drugged, could tell nothing of their enlistment, and were wholly unable to account for the suit of blue in which they were clothed. Many received a small part of the \$300 bounty, and were told that the remainder would be paid at Riker's island.

• It is impossible to state the exact number of affidavits which have been taken, for the records contain notice only of those which were forwarded to the headquarters of Maj. General Dix and Brig. General Hays. Many affidavits were taken and forwarded by mail to the friends and relatives of the recruits, and in many cases delivered to them personally at the office. The number however is large, and may be safely stated at hundreds.

In the beginning the direct object of taking the affidavits was to recover the bounty; and, therefore, many cases were passed by as hopeless; for instance, cases where the recruit had no clear knowledge of the circumstances of his enlistment, and could give neither names nor localities; so that, the actual number of affidavits taken, even though reaching hundreds, can but partially show how great a wrong has been done.

I am, General, very respectfully,

Your obdt. servt.,

(Signed,)

R. C. SHANNON,

Capt. and A. A. G.

Brig. Gen. N. J. JACKSON, *Commanding Draft Rendezvous, Riker's Island, N. Y. H.*

Official copy.

CHAS. G. HALPINE, *Major and A. A. G.*

HEADQUARTERS, DRAFT RENDEZVOUS, }
RIKER'S ISLAND, N. Y. HARBOR, Feb'y 29, 1864. }

Major—I have the honor to acknowledge the receipt of your communication of the 18th instant, requesting a statement of my views as to the past system of obtaining recruits at Lafayette Hall under General Spinola, the quality of the men furnished under that system, their condition, spirit, and any other facts which may be regarded in this connection as of public interest.

In reply, I have the honor to state, that my only means of

judging the system is by the recruits furnished under it, and judging by the recruits, I should unhesitatingly say, that the system which is attended with such results must be radically wrong, and if allowed to continue would become nothing less than an outrage on the community, and a disgrace to the Government. I derive this opinion from a comparison of the recruits furnished under that system with those that are received now.

Upon carefully examining the records, I find that during the month of December last, there were received at this rendezvous on the average of eighty-one recruits per diem, and that during the present month of February, there have been received on the average one hundred and twenty-one per diem, being an increase of about 50 per cent.

Under the system of recruiting which prevailed during the month of December last, more young boys and old men were received than now, more men came to the island drugged and intoxicated than now, and finally, (which is the best test of any system of recruiting), the number of strong, healthy able-bodied men that came was very much less than now. This shows that if the system in question is not bad, there can be few others worse.

Again, I am forced to this opinion, by the statements of the men themselves, made under oath, all of the same general character, telling of fraudulent enlistments and little or no bounties received. On this point, I would respectfully call your attention to the accompanying report of Capt. Shannon, A. A. G., with the additional remark, that the practice of taking affidavits has now almost entirely ceased, for obvious reasons.

I am, Major, very respectfully,

Your obedient servant,

(Signed,)

N. J. JACKSON,

Brig. Gen. Vols.

Official copy.

CHAS. G. HALPINE, *Major and Ass't Adj't Gen.*

To the Hon. the Senate :

The petition of Hawley D. Clapp, of the town of Mamaroneck, in the county of Westchester, in the State of New York, now confined as a prisoner in Fort Lafayette, respectfully represents : That he is not now and has not been engaged in or connected

with the military authorities of this State or of the United States. That he has not held at any time office under the General Government, or had any contracts with the Government. That he has not been guilty of any crime or offence against the laws of the State, or of the United States. That he has not been arrested upon any process issued out of any State or Federal court; but that such arrest and imprisonment is by virtue of an order issued by Major General Dix.

And your petitioner further shows, that on the 17th day of February, 1864, he was arrested and imprisoned in Fort Lafayette, where he has since remained in confinement, subjected to the same treatment and indignities inflicted and imposed upon traitors and pirates. And your petitioner further shows, that he has been informed that such imprisonment and indignities are imposed and inflicted upon him to extort from him information which it is alleged he possesses, though your petitioner has repeatedly averred, and still avers, that he does not possess the information that is attempted to be extorted from him by these inquisitorial acts; and that he has offered to answer under oath any interrogatories relating to his alleged knowledge. That he has repeatedly demanded a hearing upon the charges against him, which hearing has been refused. That he has offered good and sufficient bail to appear and answer any charges against him, and that such offer has been refused. And your petitioner, as a loyal citizen that was never accused of crime, claims the protection of the law of this State, and invokes your honorable body to take some measures that will secure him his constitutional rights and shield him from unjust oppression.

HAWLEY D. CLAPP.

NEW YORK, *April 5*, 1864.

State of New York.

•No. 94.

IN SENATE,

April 16, 1864.

REPORT

OF THE SELECT COMMITTEE OF NINE.

Mr. Cook, from the select committee of nine, reported the following bills complete :

- (Senate bill No. 255.) An act in relation to the justices' courts of the city of Brooklyn, and to amend an act entitled "An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn," passed March 24th, 1849, and the several acts amendatory thereof.
- (Assembly bill No. 121.) An act to authorize the Merchants' Bank of Erie County to close the business of banking.
- (Senate bill No. 276.) An act legalizing and confirming the acts of the trustees of Ball Seminary, in the village of Hoosick Falls, Rensselaer county, in conveying the real estate belonging to said seminary to the trustees of school district No. 1, in said town, for school purposes.
- (Assembly bill No. 246.) An act for the better protection of seamen in the port and harbor of New York.
- (Assembly bill No. 117.) An act to amend an act entitled "An act in relation to schools in the village of Binghamton," passed April 19, 1861.
- (Assembly bill No. 157.) An act to amend an act entitled "An act to consolidate certain school districts within or adjoining the corporate limits of the village of Sag Harbor, Suffolk county, and to establish a union school therein," passed April 22, 1862.
- (Senate bill No. 287.) An act to amend section 44 of the Revised Statutes, title 4, part 3, chap. 2, article 3, passed April 12th, 1824.

- (Assembly bill No. 65.) An act to legalize the acts and proceedings of Charles H. Williamson as police justice of the village of Whitesborough, in the town of Whitestown, and county of Oneida.
- (Assembly bill No. 193.) An act in relation to the commissioners of excise in and for the county of Ulster.
- (Assembly bill No. 152.) An act to authorize the trustees of "The First Baptist Church and Society in the town of Shelby, Orleans county," to sell and convey their real estate.
- (Senate bill No. 291.) An act to amend an act entitled "An act to incorporate the village of Richfield Springs, in the county of Otsego," passed March 30th, 1861.
- (Assembly bill No. 126.) An act to amend chapter 322 of the Laws of 1863.
- (Assem. bill No. 101.) An act authorizing the National Academy of Design, in the city of New York, to take by devise real estate.
- (Assembly bill No. 139.) An act to repeal chapter 391 of the Laws of 1860.
- (Assembly bill No. 53.) An act to amend section 3 of article 1, title 4 of chapter 8, part 3 of the Revised Statutes, "Of proceedings by and against corporations in courts of law."
- (Senate bill No. 299.) An act in relation to the courts of Oyer and Terminer, and the courts of sessions held in and for the county of Albany.
- (Assembly bill No. 66.) An act for the relief of Niel Stewart.
- (Assembly bill No. 158.) An act approving and legalizing the action of the supervisor, town clerk and justices of the peace of the town of Oyster Bay, Queens county, in issuing four bonds of said town, of \$500 each and numbered 1, 2, 3 and 4, for the purpose of procuring substitutes for indigent men of family, drafted and accepted as soldiers from said town.

State of New York.

No. 95.

IN SENATE,

April 15, 1864.

GENERAL ORDERS.

652. (Assembly bill No. 433.) An act to provide for the appraisal of and acquiring title to lands taken for or in addition to sites for district school houses.
653. (Assembly bill No. 379.) An act to authorize the supervisors of the towns of Guilford and Oxford to sell and convey certain school and gospel lands in those towns.
654. (Assembly bill No. 354.) An act to incorporate the village of Cortland, in the town of Cortlandville, county of Cortland, and to repeal its present charter.
655. (Assembly bill No. 514.) An act to amend the act to incorporate the village of Trenton, in the county of Oneida.
656. (Assembly bill No. 633.) An act to flag sidewalks in the town of Flatbush, Kings county.
657. (Assembly bill No. 202.) An act to regulate the tariff of freight and passengers on the Hudson River railroad.
658. (Assembly bill No. 522.) An act to regulate the use of certain wharves and slips in the city of New York, which shall be leased to the Raritan and Delaware Railroad Co.
659. (Assembly bill No. 527.) An act authorizing the Canal Commissioners to construct two stone side-cut locks in the village of West Troy.
660. (Assembly bill No. 497.) An act to provide an armory for the Eighth Regiment National Guards.
661. (Assembly bill No. 135.) An act to facilitate the West Shore Railway Company in the construction of their road in the county of Rockland.
662. (Assembly bill No. 572.) An act to construct a highway from Adirondac to Saranac.

663. (Assembly bill No. 554.) An act to declare a certain street in the town of Bethlehem, Albany county, a public highway.
664. (Assembly bill No. 641.) An act to repeal chapter 340 of the Laws of 1860, entitled "An act in relation to certain highway taxes in the counties of Warren, Essex and Hamilton,"
665. (Assembly bill No. 472.) An act for the relief of Jacob Schaub and George Rohrbacker.
666. An act to legalize the official acts of Tiba Williams.
667. (Assembly bill No. 506.) An act to confirm the title of "The Excelsior Fire Insurance Company" to certain real estate in the city of Brooklyn.
668. (Assembly bill No. 215.) An act to regulate the publication of legal notices in the county of Hamilton.
669. (Assembly bill No. 208.) An act to confirm and legalize the proceedings of the commissioners of highways of the town of Bethlehem, in the county of Albany.
670. (Assembly bill No. 171.) An act to authorize the board of supervisors of the county of Kings to provide for the relief of the families of volunteers, and the enlistment of volunteers or substitutes in said county.
671. (Assembly bill No. 349.) An act authorizing the Congregational Church and Society at Philadelphia, New York, to change its name and organization to presbyterian, and to confirm and legalize such change.
672. (Assembly bill No. 48.) An act declaring certain offences to be embezzlement.
673. (Assembly bill No. 539.) An act for the relief of Ransom Van Valkenburgh.
674. (Assembly bill No. 167.) An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburgh.
675. (Assembly bill No. 652.) An act to provide for repairing and keeping in repair the carriage-ways and sidewalks in the paved and macadamized streets within the city of Albany, and to raise the amount of the expense thereof by tax.

676. (Assembly bill No. 419.) An act to provide the means for rebuilding five dams on the Oswego canal.
677. (Assembly bill No. 427.) An act to amend an act entitled "An act to authorize the Canal Commissioners to build a farm bridge over the Genesee Valley canal on the farm of Robert Ramsey, in the town of Belfast, in the county of Allegany."
678. (Assembly bill No. 431.) An act to amend the act entitled "An act to provide for the establishment of free schools in the village of Newburgh," passed April 6, 1852.
679. (Assembly bill No. 512.) An act to amend an act entitled "An act to provide for the instruction of common school teachers," passed June 17th, 1853, passed April 13, 1855.
680. (Assembly bill No. 261.) An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers.
681. (Assembly bill No. 655.) An act to authorize the superintendents of the poor of Steuben county to take and hold, and to sell and convey certain real estate.
682. An act to incorporate the Middletown and Bovina Turnpike Company.
683. An act to incorporate the International Land Company.
684. (Assembly bill No. 483.) An act to amend the act entitled "An act to consolidate and amend the several acts relating to the village of Brockport," passed April 9th, 1852.
685. (Assembly bill No. 96.) An act in relation to schools and school districts in the towns of Morrisania and West Farms, in the county of Westchester.
686. (Assembly bill No. 516.) An act to establish schools in school district No. 3 in the town of Eastchester, county of Westchester, and State of New York.

State of New York.

No. 96.

IN SENATE,

April 18, 1864.

REPORT

OF THE SELECT COMMITTEE OF NINE.

Mr. Cook, from the select committee of nine, reported the following bills complete :

(Senate bill No. 304.) An act in relation to securities deposited with the Superintendent of the Insurance Department by life insurance companies, incorporated under the laws of other States.

(Senate bill No. 245.) An act to amend an act entitled "An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same," passed April 17th, 1854, and the several acts amendatory thereof and supplemental thereto or affecting the same.

(Assembly bill No. 170.) An act to amend chapter 467 of the Laws of 1862, entitled "An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk."

(Assembly bill No. 132.) An act in relation to the service of legal processes upon express companies.

(Assembly bill No. 33.) An act to amend chap. 404 of the Laws of 1863, entitled "An act in regard to certain officers in the several counties of this State," passed May 4, 1863.

(Assembly bill No. 30.) An act fixing the time of opening the polls in Queens and Suffolk counties.

(Senate bill No. 306.) An act for the collection of unpaid taxes in the towns of Middletown, Castleton and Southfield, in the county of Richmond.

(Assembly bill No. 116.) An act to require the Ilion and Cedarville Plank Road Company to change the location of their toll gate, located in the town of German Flats, county of Herkimer.

(Senate bill No. 311.) An act to amend an act entitled "An act to revise the charter of the city of Buffalo, and to enlarge its boundaries," passed April 13th, 1853.

(Assembly bill No. 231.) An act to amend the charter of the city of Syracuse.

(Assembly bill No. 266.) An act to authorize the board of supervisors of Rockland county to increase the compensation of constables attending courts of record therein.

(Assembly bill No. 211.) An act to authorize the town of Granville, in the county of Washington, to elect one additional justice of the peace.

State of New York.

No. 97.

IN SENATE,

April 12, 1864.

REPORT OF THE COMMISSIONERS OF THE CODE.

To the Hon. the Legislature:

The Commissioners of the Code, appointed by the act of April 6, 1857, beg leave to make this their eighth

• REPORT.

They have already presented to the Legislature drafts of two of the three codes which they were directed to prepare and submit, viz: the Political Code and the Civil Code. The former of these has been distributed, as directed by the act of appointment, and has been revised by the Commissioners, and re-printed and reported complete to the Legislature. The latter has been printed and distributed; but the revision of the draft yet remains to be completed by the Commissioners.

They now submit to the Legislature a draft of the Penal Code, the third and last of the system contemplated. It is designed in this code to define all the crimes for which persons can be punished by the judicial tribunals of this State, and to prescribe a harmonious and just system of punishments for the same.

It was at one time thought that the subject of prison discipline might be incorporated in the Penal Code; the Commissioners have, however, doubted whether it would not be more convenient that this topic should be embodied in a distinct statute. It is their purpose to prepare a draft of such a statute before the final revision and re-printing of the Penal Code; and it can then be either incorporated in the code as the last chapter thereof, or separately submitted to the Legislature, as may be thought expedient.

The Commissioners refer to the preliminary note prefixed to the draft of the Penal Code, as containing a general outline of the objects which they have kept in view in the preparation of the work.

All which is respectfully submitted.

DAVID DUDLEY FIELD,
WILLIAM CURTIS NOYES,
A. W. BRADFORD.

NEW YORK, *March* 1864.

State of New York.

No. 98.

IN SENATE,

April 19, 1864.

REPORT

OF THE SELECT COMMITTEE OF NINE.

Mr. Cook, from the select committee of nine, reported the following bills complete :

(Senate bill No. 188.) An act for the consolidation of the Bath and Coney Island Bridge Company.

(Senate bill No. 236.) An act to amend an act entitled "An act to provide for the incorporation of insurance companies," passed April 10, 1849.

(Senate bill No. 279.) An act authorizing William C. Bronson to convey certain waters, by means of pipes, along the highways of the town of Erwin.

(Assembly bill No. 450.) An act for the admission of Rudolph Mussehl to the institution for the blind.

(Assembly bill No. 372.) An act to authorize the supervisors of the town of Lowville to borrow money, and for other purposes.

(Senate bill No. 820.) An act to legalize the official acts of Burton A. Thomas as notary public.

(Assembly bill No. 57.) An act to legalize the official acts of David L. Westover as justice of the peace.

(Assembly bill No. 119.) An act in relation to the draining of certain swamp lands in the town of Shawangunk, Ulster county.

(Senate bill No. 326.) An act to amend chapter 478 of the Laws of 1859, relating to the Brooklyn Eastern District Fire Department.

(Assembly bill No. 515.) An act amending and in addition to the act entitled "An act to supply the village of Watertown with pure and wholesome water, and for other purposes," passed March 22, 1853.

(Assembly bill No. 131.) An act to provide for the deepening of water channels in the towns of Somerset and Hartland, in the county of Niagara.

State of New York.

No. 99.

IN SENATE,

April 20, 1864.

REPORT

OF THE SELECT COMMITTEE OF NINE.

Mr. Cook, from the select committee of nine, reported the following bills complete :

(Senate bill No. 329.) An act to amend section 7 of the act entitled "An act to authorize the levying of a tax upon the taxable property of the different counties and towns in this State, to pay moneys borrowed for or expended in the payment of bounties to volunteers, or for the expenses of their enlistment, or for aid to their families, or to pay any liability incurred therefor, or that may hereafter be incurred, and to amend section 1, of chapter 514, of the Laws of 1863," passed February 9, 1864.

(Assembly bill No. 332.) An act authorizing the colleges therein named to take and hold real and personal estate.

(Assembly bill No. 357.) An act requiring officers of scientific and eleemosynary institutions to make annual reports.

(Assembly bill No. 432.) An act changing the time for holding the annual school meeting in district No. 16 of village and town of Delhi.

(Assembly bill No. 309.) An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1847, so far as the same relates to the village of Mount Vernon, and to confer additional powers upon the trustees thereof," passed May 5th, 1863.

- (Assembly bill No. 140.) An act to amend an act entitled "An act to provide for the registry of liens and incumbrances upon boats navigating the canals in this State," passed April 15, 1858.
- (Assembly bill No. 265.) An act to repeal an act entitled "An act to amend an act entitled 'An act to incorporate the village of Bainbridge, in the county of Chenango,' passed February 14th, 1863;" and to amend the act entitled "An act to incorporate the village of Bainbridge, in the county of Chenango," passed April 21st 1829.
- (Assembly bill No. 239.) An act to repeal an act entitled "An act relating to the jail and penitentiary in the county of Kings," passed April 18th, 1862.
- (Assembly bill No. 230.) An act to provide for the payment of certain expenses of the trustees of the State road from the Orange turnpike to Nyack, in the county of Rockland.
- (Assembly bill No. 278.) An act to authorize the commissioners of highways of the town of Dix, in the county of Schuyler, to construct a stone bridge across Watkins creek, in said town, and to borrow money for that purpose.
- (Assembly bill No. 337.) An act relative to compensation of the assessors and commissioners of highways in the town of Watervliet, in the county of Albany.
- (Assembly bill No. 180.) An act to authorize the Jamaica and Brooklyn Plank Road Company to change the location of toll gates upon their road.
- (Senate bill No. 343.) An act to compel corporations to produce their books of account in evidence.
- (Assembly bill No. 244.) An act to repeal an act entitled "An act regulating highways and bridges in the counties of Suffolk, Queens and Kings," passed February 23, 1830; and, also, to repeal all acts amending said act.
- (Assembly bill No. 387.) An act in relation to the performance of highway labor in the town of North Hempstead, in Queens county.
- (Assembly bill No. 220.) An act to enable the trustees of the village of Owego to purchase land for village purposes.
- (Assembly bill No. 165.) An act to provide for lighting certain streets in the village of White Plains, in the county of Westchester, with gas.

(Assembly bill No. 385.) An act to amend an act entitled "An act to revise, amend, and consolidate the several acts relating to the village of Sag Harbor," passed April 18, 1861.

(Assembly bill No. 509.) An act to amend the separate road district of the village of Willink in the county of Erie.

(Assembly bill No. 448.) An act to amend an act entitled "An act to authorize the town of Dunkirk to construct a gravel, stone or macadamized road from Lake Erie, in the village of Dunkirk, to the town line of the town of Dunkirk," passed April 17, 1863.

(Assembly bill No. 275.) An act authorizing the commissioners of highways of the towns of Amherst and Tonawanda and the street commissioner of the city of Buffalo, in the county of Erie, to lay out and open a road in said towns and city.

(Senate bill No. 346.) An act to amend an act entitled "An act to incorporate the National Life and Limb Insurance Company of New York," passed April 25, 1863.

(Assembly bill No. 451.) An act to amend an act entitled "An act in relation to the New York institution for the instruction of the deaf and dumb," passed April 18, 1838.

(Assembly bill No. 444.) An act to prohibit the driving of cattle through the streets of Brooklyn on Sunday.

(Assembly bill No. 390,) An act to change the name and title of the religious corporation known as "The Second Congregational Church of the town of Madrid," in the county of St. Lawrence, to "The First Presbyterian Church of Waddington," in said county.

(Assembly bill, not printed.) An act in relation to the New York Magdalen Benevolent Society in the city of New York.

(Assembly bill No. 224.) An act to change the name of the Barker and Chenango Church and Society, in the county of Broome.

(Assembly bill No. 393.) An act to change the name of the Union Village Baptist Church and Society in the town of Lisle, and for other purposes.

(Assembly Bill No. 350.) An act to amend an act entitled "An act to incorporate the New York Eye Infirmary," passed March 29th, 1822.

- (Assembly bill No. 241.) An act to amend an act entitled "An act to amend an act entitled 'An act to incorporate the village of Flushing,' " passed March 20, 1857.
- (Assembly bill No. 288.) An act legalizing the acts of the taxpayers of the village of Cohoes.
- (Assembly bill No. 484.) An act to authorize the trustees of the village of Baldwinsville, Onondaga county, to build sidewalks.
- (Assembly bill No. 435.) An act to confirm the title of a certain lot or piece of land to Richard Reynolds.
- (Assembly bill No. 301.) An act to release to Caroline Hillis certain real estate of which Henry Hillis died seised.
- (Assembly bill No. 397.) An act to amend an act entitled "An act in relation to the fees of grand and petit jurors," passed March 31, 1860.
- (Assembly bill No. 209.) An act to provide for the repayment of moneys borrowed by the several towns of the county of Rockland for the relief of drafted men.
- (Assembly bill No. 482.) An act to amend an act entitled "An act to provide for the election of a police justice in the town of Waterford, Saratoga county," passed February 19th, 1864.
- (Assembly bill No. 284.) An act to enable the "Children's Aid Society of the city of New York," to hold real and personal estate.
- (Assembly bill No. 344.) An act to legalize the election and subsequent proceedings of the trustees and officers of the village of Mount Vernon, in the county of Westchester.

State of New York.

No. 100.

IN SENATE,

April 13, 1864.

REPORT

OF THE COMMITTEE ON COMMERCE AND NAVIGATION ON THE PETITION OF DAVID OGDEN, AND OTHERS.

Mr. AMES, from the committee on commerce and navigation, to which was referred the petition of David Ogden and others, praying for a law authorizing the refunding to merchants, owners, masters and agents of vessels, of moneys illegally collected and exacted from them by the health commissioner of the port of New York:

REPORT:

That your committee have had said petition and subject matter under consideration, and beg leave to submit the following statement:

That until the decision of the Supreme Court of the United States in the case of *Smith vs. Turner*, (the Health Commissioner for the port of New York), that a tax imposed upon a vessel or the owner, or the master of a vessel, by a State, for passengers arriving at its ports, was unconstitutional and void, the statutes of this State required "the master of every vessel from a foreign port, to pay for himself one dollar and fifty cents; for every cabin passenger two dollars; for every steerage passenger fifty cents, and the master of each coasting vessel, for each person on board, twenty-five cents." The payment was exacted under heavy penalties and stringent provisions. (1 *Rev. Stat.*, 3d ed. page 500, sec. 7.)

Under the provisions of the statutes referred to, a number of persons, owners, masters of vessels and their agents, paid sums of money to the Health Commissioner, which enured to the ben-

efit of the State, and the petitioners ask that the moneys may be returned to them, on the ground that they were illegally exacted and collected.

It appears that Smith, a master of a vessel, commenced a suit against the officer who collected the money on behalf of the State, for the purpose of testing the validity of the law. The suit was prosecuted in the Supreme Court of this State, and to the Court of Errors, and finally to the Supreme Court of the United States; which last mentioned court decided at the January term, in the year 1849, that "the act of the State of New York which imposes a tax for passengers upon the masters and owners of vessels from a foreign port, in the manner provided, is a regulation of commerce which is exclusively vested in Congress, and the act is therefore unconstitutional and void." (*Howard's Reports S. C. U. S.*, vol. 7, pages 283, &c.)

A similar statute existed at that time in the State of Massachusetts, and, in the case of *Norris vs. The City of Boston*, a like decision was made in regard to the statute of that State, as will appear by reference to the volume of Reports and pages last cited; and your committee is informed that the Legislature of that State promptly refunded, after such decision, all moneys thus collected and paid into the State treasury.

It further appears that certain individuals, who paid such taxes under the enactments of the State of New York, under protest, petitioned the Legislature in the year 1851, for relief, and an act was passed authorizing and directing the sums paid under protest, to be refunded, with interest. That class, however, that did not pay under protest was not represented in that application, owing, as your committee are informed, to financial embarrassment on the part of the State, and to the fact that in the absence of a written protest, no evidence as to the parties that paid, or vouchers for the sums, appeared on the books of the treasurer, that class was not embraced in the act passed in pursuance of that application.

Your committee are at a loss to discover any valid reason that can be urged, either in a legal or equitable point of view, on the part of the State, why the claims of those who paid without protest, are not equally meritorious with those who paid under protest. Any other rule would conflict with the decisions of the first tribunal in the nation, and would be discreditable to a great State, which would occupy the unenviable position of exacting

from the master of a vessel better knowledge of constitutional law than the law makers themselves had.

That the want of protest does not bar a party's claim to recover back moneys illegally exacted, has been decided by the court of claims in several cases. (*Beatty's Ex's vs. U. S.*, Dev. C. C. Rep. 231; *Sturges vs. U. S.*, 4 Am. Law Reg., 343; Dev. C. C. Rep., 235, 244.)

Indeed, the rule appears to be well settled, that where money is illegally exacted, under compulsion exercised by an officer *colore officii*, it may be recovered back though it was not paid under protest; and numerous authorities in the common law courts of this country and of England were cited before your committee to establish this doctrine.

Your committee feel warranted, therefore, in adopting the following extracts from the report of the committee of ways and means, in the Assembly of this State in the year 1851.

"The act being void, the collection of the tax from the master or owner of the vessel was illegal and wrong, and it follows that the moneys so collected do not belong to the State but to some other party. The question then is, to whom do these moneys belong?

"It is seen that they do not belong to the State. They must then belong to either the health officer who paid the moneys into the treasury, or to the passenger upon whose head the tax was levied, or to the ship owner or master, who paid the money under protest and compulsion to the health officer.

"Is the health officer entitled to receive this money from the State? It is true that he paid it into the treasury, and that he is liable to suit and recovery by the master or other parties from whom he received it. But he collects it from the parties as a public officer, and on behalf of the State, and had the law been valid the money so collected would have become the property of the State the moment it was paid into his hands; and though he may be compelled by suit to refund the amount he has collected, yet he is indemnified by the State. (1 Rev. Stat. 3d ed., 501, § 13.) For public policy not permitting the State to be impleaded, this form of remedy is given to enable injured parties to obtain redress. The health officer, therefore, acts throughout for the State, and has no personal interest in the fund or any portion thereof.

"The next question for consideration is, does the money resulting from the tax belong to the passengers upon whose head the tax was levied? And the answer to this question depends in a good degree upon the nature and character of the tax imposed.

"If the law had provided that the tax should be paid directly by the passenger, or if his person or wearing apparel had been liable to seizure for the amount, and the master or vessel exempt from any penalty for the non-payment of the tax, there can be no doubt that the passenger would be entitled to the money.

"But the provisions of the law were the reverse. The State did not hold the passenger responsible for the payment of the tax. The State made no demand on him, and he was permitted to go free, with his property untouched, whether the tax was paid or not. It was to the master or owner of the ship, that the State, after ascertaining the number of souls on board, applied for payment, looking to him only, and subjecting him to costs of suit, if he neglected or refused to pay the sum demanded.

"Mr. Justice Grier, in delivering the opinion of the Supreme Court of the United States in the passenger tax, said: 'In its letter and in its spirit, it is an exaction from the master, owner or consignee of a vessel engaged in the transportation of passengers, graduated on the freight or passenger money earned by the vessel. It is, in fact, a duty on the vessel, not measured by her tonnage, it is true, but producing a like result by merely changing the ratio. It is the taxation of the master, as representative of the vessel and cargo.'

"In the opinion of the court, delivered by Justices McLean and Grier, the tax was regarded as having been imposed on the ship and not upon the passengers, and in the opinion of Justice Daniels, who represented the minority of the court, it was held that the tax was directly on the master, in consideration of the emigrants brought by him within the State.

"By the laws of the United States, a ship engaged in the conveyance of passengers cannot carry more than two passengers for every five tons of measurement. If the tax had been imposed on the tonnage of the vessel on the assumption that every ship would carry her full complement of passengers, there can be no question that the moneys would have been returnable to the master or owner. Nor can there be any doubt that the tax was imposed upon the ship, the rate being graduated by the number of

passengers instead of the tonnage of the vessel. It seems conclusive, both from the decisions of the Supreme Court of the United States and from the nature of this case, that the moneys do not belong to the passengers; they must therefore belong to the masters or owners who paid them.

“The moneys then, lying in the treasury, belonging neither to the State nor to the passengers, but to the parties who paid them, it is just and expedient that they shall be promptly returned. They who have paid under the laws declared unconstitutional can maintain actions; and thus all the moneys so paid may be sued out of the treasury, at the vast expense of the State. A just regard for the honor of the State forbids the retention of that which the highest judicial tribunal of the country has declared does not belong to her, while the interests of a large and valuable class of her citizens, to whom this money rightfully belongs, require its immediate return.”

The only objection (if it can be urged as an objection), to granting the relief prayed for, is the lack of funds in the State treasury. But that objection is obviated by the consent of the petitioners to accept evidences of indebtedness from the State, payable in twenty years, with interest at the rate of five per cent., after their claims are duly established.

Upon these considerations, and with a desire to deal justly with the claimants, and at the same time to save the State as much as possible from embarrassment, your committee ask leave to bring in a bill authorizing the Comptroller to issue and deliver evidences of debt to the respective claimants, for the several amounts, payable in twenty years, with interest at five per cent., after the several claims shall have been established before a commission consisting of two commissioners to be appointed by the Governor with the concurrence of the Comptroller.

CHENEY AMES.

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State of New York.

No. 101.

IN SENATE,

April 20, 1864.

REPORT

OF THE STATE ENGINEER AND SURVEYOR IN ANSWER TO
A RESOLUTION RELATIVE TO REPORTS OF CHARLES W.
WENTZ, IN RELATION TO AN AQUEDUCT ACROSS THE
SENECA RIVER TO CONNECT THE CAYUGA AND SENECA
CANALS.

OFFICE OF THE STATE ENGINEER AND SURVEYOR, }
ALBANY *April 19th*, 1864. }

To the Honorable the Senate :

In answer to the following resolution of your honorable body :

“ Resolved, That the State Engineer and Surveyor is hereby respectfully requested to report to the Senate, copies of all the reports of Charles W. Wentz, resident engineer on the Cayuga and Seneca canal, and of all other engineers of the name of Wentz, made to the Canal Commissioners or any of them on the subject or including the subject of a proposed aqueduct across the Seneca river, to connect the Cayuga and Seneca canals at their junction, during the years 1849, 1850, 1851, 1852 and 1853, if said reports are in the office of the said State Engineer and Surveyor, or are attainable by him.”

I would respectfully submit the following

REPORT.

I am unable to find any reports on file in this department, relating to the subject matter contained in the resolution.

Mr. Wentz states that he is of opinion that the reports were made to the Canal Commissioners, but were never printed and are, therefore, not on file in this or the Canal Commissioners' office.

2
Diligent searches have been made through the documents of the years mentioned, and also reports of the State Engineer and Canal Commissioners with unsuccessful results.

Respectfully submitted.

W. B. TAYLOR,
State Engineer and Surveyor.

State of New York.

No. 102.

IN SENATE,

April 15, 1864.

COMMUNICATION

FROM THE CITIZENS' ASSOCIATION OF THE CITY OF NEW
NEW YORK, RELATIVE TO THE TAX LEVY OF SAID CITY.

To the President of the Senate :

The committee appointed by the inclosed resolution of the Citizens' Association of the city of New York would respectfully inform your honorable body that they have attended at Albany, in pursuance of an understanding that they would be heard upon the floor of the Senate on the subject of the tax levy, and desire to be informed at what hour they may appear before your honorable body.

JAMES BROWN, *Chairman.*

ROB'T B. ROOSEVELT, *Secretary.*

At a meeting of members of the Citizens' Association of the city of New York, held at the rooms No. 813 Broadway, on the 12th day of April, 1864, Mr. James Brown being in the chair, it was

Resolved, That the gentlemen hereinafter named be appointed a committee specially delegated to represent the Citizens' Association before the Legislature at Albany, to be heard before that body upon the tax levy, at the time appointed for that purpose.

ROB'T B. ROOSEVELT, *Sec'y.*

William B. Astor,
James Brown,
W. R. Vermilye,
Christopher R. Robert,
Robert B. Roosevelt,
Alexander Hamilton, Jr.,
John W. Greene, M. D.,
Philetus Holt,

Edwin Hoyt,
George Folsom,
John J. Phelps,
Wm. S. Mayo, M. D.,
John W. Edmonds,
Peter McMartin,
Richard F. Carman.
William F. Allen.

State of New York.

No. 103.

IN SENATE,

April 21, 1864.

REPORT

OF THE SELECT COMMITTEE OF NINE.

Mr. Cook, from the select committee of nine, reported the following bills complete :

(Assembly bill No. 179.) An act to authorize the Jamaica and Brooklyn Plank Road Company to collect toll in certain cases.

(Assembly bill No. 464.) An act to consolidate the Boston, Hartford and Erie, the Boston, Hartford and Erie Extension, and the Boston, Hartford and Erie Ferry Extension Railroad Companies.

(Assembly bill No. 314.) An act authorizing the Saugerties and Woodstock Turnpike Road Company to locate a toll gate and establishing rates of toll.

(Assembly bill No. 326.) An act to authorize the stockholders of the Chautauqua Farmers' and Mechanics' Union to levy and collect taxes, and to legalize assessments heretofore made.

(Assembly bill No. 99.) An act to authorize the laying of sidewalks in the highways, streets and avenues in the town of West Farms, in the county of Westchester.

(Assembly bill No. 155.) An act relative to land devised by John Tonnelle, deceased.

(Assembly bill No. 589.) An act to amend an act entitled "An act to amend an act passed April 10th, 1860, entitled 'An act to incorporate the Conqueror Hook and Ladder and Bucket Company, at Tarrytown, Westchester county,' passed March 31, 1862."

- (Assembly bill No. 591.) An act in relation to cross-walks in the town of White Plains, in the county of Westchester.
- (Assembly bill No. 383.) An act to authorize the city of Troy to borrow money.
- (Assembly bill No. 634.) An act to amend the charter of the village of Boonville.
- (Assembly bill No. 442.) An act to amend an act entitled "An act to form a separate road district of all that part of the city of Albany lying west of Allen street, and to exempt the same from certain taxes."
- (Assembly bill No. 358.) An act authorizing the continuance of a dam across the Susquehanna river.
- (Assembly bill No. 434.) An act to release the right, title, and interest of the State of New York of, in and to certain real estate of which James Tully died seised, to Mary Tully.
- (Assembly bill No. 237.) An act to release the inteseat of the State in certain real estate of which John Stinson died seised, to Ann Hinion, Jane Shaw, William Stinson and Robert Stinson.
- (Assembly bill No. 340.) An act to increase the compensation of constables for the city of Brooklyn and county of Kings, for their attendance in court when so required by the sheriff.
- (Assembly bill, not printed.) An act to legalize and confirm the acts of Archibald Fisher, a justice of the peace of the town of Theresa, Jefferson county.
- (Assembly bill No. 252.) An act to enable Cyrus H. Giffin, Lucy V. Giffin, Julia Almina Bell, wife of Charles Bell, Edward Giffin, James Giffin and Sophia Giffin, children of Horatio A. Giffin, an alien, deceased, to take and hold the real estate of which the said Horatio A. Giffin died seised.
- (Assem. bill No. 639.) An act for the relief of Mary Evans, an alien.
- (Assembly bill No. 546.) An act for the lighting the streets of the town of Flatbush, in the county of Kings, with gas.
- (Assembly bill No. 570.) An act in relation to the police department of the city of Rochester.
- (Assembly bill No. 625.) An act to amend an act entitled "An act to incorporate the Market Savings Bank of the city of New York," passed May 5, 1863.
- (Assembly bill No. 122.) An act to amend the charter of the Central City Savings Institution, located in the city of Utica, passed June 20th, 1851.

State of New York.

No. 104.

IN SENATE,

April 28, 1864.

REPORT

OF THE COMMITTEE ON PRIVILEGES AND ELECTIONS IN THE
MATTER OF THE CONTESTED ELECTION IN THE NINTH SEN-
ATORIAL DISTRICT.

To the Senate of the State of New York:

The committee on privileges and elections, to which was referred the memorial of Henry R. Low, claiming that he was duly elected Senator in the ninth senatorial district, at the last general election, and entitled to the seat in this body held by the Hon. Archibald C. Niven, respectfully

REPORT

That they have spent a large portion of this session in investigating this matter; that they went to Middletown, in the county of Orange, and took the examination of the witnesses produced; that the said examination swelled to a magnitude entirely unexpected by your committee, at the outset, and they were compelled to adjourn from time to time, so that the proofs were not closed until February 28th. To facilitate the investigation, your committee secured the services of E. F. Underhill, Esq., stenographer, to the Legislature. No time was given to the parties or the committee to take extended notes of the evidence, so that all concerned were obliged to rely upon the report of the stenographer. Three hundred and eighty-seven witnesses were examined, seventy-eight of whom were re-examined from once to four times. This evidence was taken in reference to 36 alleged irregular or defective ballots, and 225 alleged illegal voters, of whom 65 were themselves called as witnesses. During the intervals between the examinations, the stenographer wrote out his

notes for the printer, that parties and counsel might have the benefit of them. When the proofs were closed the stenographer employed assistance and prepared the balance of his notes for the printer, and made an index to the whole, occupying him about 24 days. The printing was not finished until about the first of April. This evidence constitutes Senate document No. 14 and consists of 931 pages or 4,541 folios. The testimony was not taken in any regular manner, witnesses were examined as they happened to be present, and consequently the evidence in relation to any given case, is scattered throughout the book, and only to be found by laborious search.

Immediately after the testimony was printed, your committee ordered the argument to proceed, which occupied many evenings and was not finished until the 18th day of April. Since that time the chairman of the committee has devoted himself to the consideration of the case without intermission. We have arrived at results which we now report, but no time is left us to prepare an elaborate statement of the case, or the reason for our conclusions either of law or fact. We feel that it is due to the case and to ourselves that this should be done, but we submit to the circumstances which prevent it. But we are entirely satisfied with the correctness of the final result to which we have arrived, and do not believe that any further examination would lead us to change it. The first question to be considered is that of defective ballots and ballots discarded by the inspectors, or improperly counted.

The parties concede that the tickets for "A. C. Niven" and "H. R. Low," which were rejected or returned by the inspectors, should have been counted.

We think also, that the principle is well settled, that the tickets with Mr. Niven's name erased, and "Low," "Low Low," or "Jug Low," (Jug, evidently written to spell *Judge*) should be allowed. For the contest in the 9th District, last fall, was mainly upon senator. It was familiarly known as a strife between Low and Niven. Low was known as Judge Low, and we have not a particle of doubt, from all the circumstances, that the voters depositing these ballots meant them for Henry R. Low.

But without speaking particularly of all the cases before alluded to, we must state our disposition of them.

It is shown as follows, viz.:

	Votes.
Niven had in Orange county.....	5,492
In Sullivan.....	3,129
One vote A. C. Niven.....	1
do German text	1
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	8,623
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Low had in Orange county	2,776
In Sullivan.....	5,827
Returned not canvassed for H. R. Low.....	12
1st District, Liberty, <i>Low</i>	1
2d do Montgomery, <i>Low</i>	1
2d do Liberty, <i>Low</i>	1
1st do Bethel, <i>Low-Low</i>	1
3d do Deer Park, <i>Low</i>	1
2d do Fallsburgh, <i>Jug Low</i>	1
2d do Fallsburgh, H. R. Low.....	1
2d do Liberty. <i>republican State ticket, Henry R. Low</i> in Judiciary box.....	1
2d do ticket cut through.....	1
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	8,622
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It will be observed that there are two ballots claimed for Low which we do not count. We do not, because these cases are not so clear as the others, and counting them either way would not change the result.

Should be deducted from Niven's vote :

Town of Fremont, one State ticket was found in judiciary box, and erroneously counted for Niven.....	1
In Deer Park, District No. 4, were two double ballots for Niven, one of each was counted for Niven.....	2
George Hall voted twice in Monroe for Niven.....	1
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	4

Recapitulation :

Niven's vote, ante.....	8,623
Deduct the above	4
	<hr/>
	8,619
Low's vote brought forward... ..	8,622
	<hr/>
Low's majority as thus indicated.....	3

ILLEGAL AND FRAUDULENT VOTES.

Various questions in relation to the proper rules of evidence, &c., arose in this part of the case. The principal one was, when and how far may the admissions of the voter as to the character of his vote and his qualifications, be given in evidence?

Without attempting to give authority or reasons, we hold that the simple, unsupported admissions of the voter cannot be given to show how he voted. He must first be made a party against the person attacking him, by proving *aliunde* that he voted against him; when this is established, his admissions are competent.

Again, the question arose, whether votes cast by persons not registered, and who did not make the proof required by the statute, if objected to or challenged, were illegal, and should be thrown out for that reason.

We held on the examination, and now hold, that the statute is directory; that the inspectors improperly received such ballots; that they should have rejected them; but having been received the ballots cannot now be thrown out, if the persons casting them were in fact entitled to vote by the Constitution. All that can be said is, that the inspectors did not perform their duty, or rather that they violated their duty, but the public now have an interest in the result, and failure of duty on the part of inspectors, or any other mere irregularity, will not be allowed to alter that result.

We state this, because what we meant to say is incorrectly reported in the body of the testimony. We have examined with great care each case of alleged illegal voting. We made rough notes of these cases with conclusions, as we went along. There is no time to re-write these notes, and we submit them as they are.

And first, the cases attacked by Mr. Low:

(Before proceeding to these, however, we should remark that we have not passed upon the cases of Moon and York, alleged to have been illegally prevented from voting, nor upon the case of McMillan, alleged to have delivered his ballot to the inspectors, which was by mistake, or for some other reason, not put in the box. These cases were overlooked by us until our conclusion was arrived at, and as they were all claimed by Mr. Low, and consequently could not change the result, we have left them unconsidered, nor did we consider the case of John Knapp.

VOTERS ATTACKED BY MR. LOW.

William Hodge voted in the town of Callicoon, alleged that he was, at the time, a resident of the town of Liberty.

Did he vote for Mr. Niven?

The witness, Christian Sander, swears (page 213) that he saw him vote; that he voted three tickets, (number of tickets voted in Sullivan county at this election;) that he voted the democratic ticket. It is proved by the same witness, (page 213) and by others also, that he was a democrat, and advocated the cause of that party, (pages 47-48.) This is circumstantial evidence, but joined to the fact that the question of Senator excited more interest in the 9th district, at that election, than any other, and that there is no rebutting evidence upon this subject, it leads to the conclusion that this man voted for Mr. Niven.

His uncle, Asa Hodge, also swears (page 239) that the voter in question told him, in the latter part of November, that he voted "the straight democratic ticket," which is equivalent to saying that he voted for Mr. Niven, (see also page 50.) He also stated to Frazer (page 30), before election, that he should vote for Niven.

Was he a resident of Callicoon?

His uncle, already referred to, swears positively that the residence of the voter now is, and for about twenty-five years has been, in the town of Liberty, (page 239.)

Sanders swears that the voter, in conversation with him, spoke of his home as being near the village of Liberty, (pages 215-216.)

Watkins swears that he resides in Liberty, and has always lived there, pages 230-240.)

The Provost Marshall of the district says he was enrolled in Liberty, (page 294.)

(See also Mr. Frazer's testimony on this subject.)

There is no rebutting testimony. We hold, therefore, that this man was an illegal voter, and his vote must be subtracted from the aggregate vote of Mr. Niven.

Frederick Thuman voted in Callicoon, (page 213,) alleged that he voted for Mr. Niven, and that he did not reside in Callicoon at the time.

Did he vote for Mr. Niven?

Mr. Frazer swears that he was a prominent member of the democratic party, and that he electioneered for Mr. Niven just before the election, (page 52; see also page 213.)

The voter himself states, upon his examination, that he voted for Mr. Niven, (page 274.)

Was he a resident of Callicoon at the time ?

Mr. Frazer (page 45) says he removed from Callicoon to Ulster county with his family and furniture in June, 1863, and with the intention of staying there, as stated to him, Frazer, by the voter, (pages 49-51.)

Mr. Sanders (page 214) swears to the same thing in substance.

The voter himself swears (page 272-6) that he went to his father-in-law's house, in Ulster county, with his family and a part of his furniture. On his direct examination (page 272-3) he says it was not his purpose to stay; that he was a justice of the peace in Callicoon, and that he took some acknowledgments as such during the months of August, September and October, (page 275;) and that he was drafted in Callicoon. On his cross-examination he states that he went to Ulster with the intention of staying, unless his father made some disposition of his hotel property in Callicoon satisfactory to him, the voter. From the whole testimony of this voter it appears that he, the voter, desired to own or at least to have the exclusive control and management of this hotel property. His father refused to comply with his wishes in this respect. He then abandoned or gave up the hired house in which he had been living, and went with his family and furniture, or a part of it, to Ulster county, with the then intention of remaining there, unless his father should subsequently agree to his terms. He thus, in fact, lost his residence in Callicoon and became a resident of Ulster county.

Conceding that he came back with his family in October, (page 275) he still could not be a resident of the county of Sullivan four months preceding the general election in 1863.

This vote must be deducted from the aggregate vote for Mr. Niven.

Alfred Coney voted in Callicoon; alleged that he voted for Mr. Niven; also, that he resided in the town of Fremont.

Did he vote for Mr. Niven ?

Before election told Frazer he should not vote the abolition ticket, but would vote the democratic ticket if he voted at all, (page 69,) that he should vote the democratic ticket all through, and since election that he had so voted (241); but the last admission was made on an inducement, and must be rejected.

The poll list shows that he voted. (213).

Metzger saw him vote (217.)

Not proved that he voted for Mr. Niven.

Alfred Coney, was he at the time a resident of Callicoon?

Frazer swears that he resided in Fremont, (pages 69, 70,) and says that he ran out the line since election, and finds the voter's residence in Fremont.

Thuman (page 276,) does not know whether his residence is in Fremont or Callicoon.

Lawless understands his house to be in Callicoon. (502.)

Hofer knows where he lives, and thinks the place in Callicoon. (507.)

Thomas White voted in Liberty. Allegations—That he voted for Mr. Niven, and that he was an alien.

Did he vote for Mr. Niven?

Admitted to Watkins since election that he voted for Niven, (pages 61–63.) No other testimony on that point.

Was he an alien?

The only testimony is that of Watkins, (pages 61–63,) who swears that the voter since election told him he was an illegal voter, that he had not his second papers; and the positive statement of Watkins that he was a foreigner—an Irishman, &c.

Allegations not sustained.

Thomas Clayton voted in Liberty. Allegations, that he voted for Mr. Niven, and that he had not resided in the State one year next preceding the election.

Did he vote for Mr. Niven?

His name appears on the poll list, (61); voted the three tickets; an imbecile.

Parks, an inspector, swears he voted, and thinks by the appearance of the ticket that it was a democratic ticket. (65.)

This allegation made out.

Was a resident of the State for one year next preceding the election?

Gregory swears that the father of the voter lived on the Pennsylvania side of the Delaware, opposite Callicoon depot, previous to April or March, 1863, then went back upon the hills for two or three weeks, and then, about May, removed to Liberty; that he (the voter) lived with his father in Pennsylvania, (page 227).

Leroy swears, that he had known him as a resident of Sullivan county for 30 or 40 years. He also states what the voter said under oath, when challenged, as to his residence. But it is con-

ceded that he was and is an imbecile; no reliance; therefore, is to be placed upon his own statements, (281):

Nanny swears that he thinks he was not enrolled in Liberty; but the voters age does not appear, (294):

Litts swears that the voter lived with him, in his house, from June 11, 1862, until lately; but his story is very unreliable.

Allegation not sustained.

Seth Hotchkin, voted in Liberty. Allegations—That he voted for Mr. Niven; and that he was a minor at the time.

Did he vote for Mr. Niven?

His name is on the poll list as voting the three tickets, (62).

Note—Hotchkin appears to have gone to parts unknown since election, (62).

He said to Young (135-6), before election, that he intended to vote for Mr. Niven; and after election, that he had voted for him.

He told Stewart, on the day of the election, but before he voted, that he intended to go to election and vote for Mr. Niven, (136).

Allegation not sustained.

Was he a minor at the time?

Mr. Nanny produces the certificate of Seth Hotchkin, of Liberty, Sullivan county, sworn to by him, Nov. 28, 1863, which states his age below twenty years, (146-149); also, the exemption record, (648).

Mrs. Waring swears that he was over 21 years old last fall, and founds her knowledge on the fact that she and Hotchkins' mother had a child about the same time; that Seth was older than this brother, who died; that her own child, then born, was 21 in February, 1864.

She states that Seth had and has several older brothers, (340-1), but does not seem to have remembered them all, (page 370).

Grant swears that he thinks him older than 21 last November, (370-372), but that the one which died was older than Seth. If this be so, then Mrs. Waring is mistaken about his age; he could not have been 21 last November. Grant judges of the age merely by running the ages of the children down from the oldest, making allowances for what he supposes was the time between the birth of each.

If the certificate is good evidence, he is shown to be a minor;

the testimony of Waring and Grant, taken together, rather strengthening than weakening the allegation.

Conceding the certificate, &c., to be proper evidence, does the description in it sufficiently identify the voter in question, or was it necessary for the contestant to prove that the voter in question was the same man who made the certificate.

James Conner, voted in Liberty. Allegations—That he voted for Mr. Niven, and that he was a non-resident at the time.

Did he vote for Mr. Niven?

Poll list shows that he voted the three tickets, (64).

Gold Humphrey, that he voted for Niven, (204).

Also, Gildersleave, (206)

There is no evidence to show how he voted except his admissions above.

Allegations not sustained.

Jas. Conner—Was he a non-resident?

Stevens says he went from Liberty about June or July, 1862, and returned some time last summer, (292.)

In June or May, 1862, told Humphrey that he had sold his farm and was going to Pennsylvania, (204.) Humphrey says he did go there and returned in the summer of 1863: (See also 205-6.)

Horton thinks his residence has been Liberty for several years past. He owned property there, &c.; he was gone, witness did not see him for seven or eight months, (279.)

The voter's own statement (282-9) shows that he went away to escape the consequences of a conviction for bastardy, placed his property mainly out of his hands—that he expected to settle the bastardy and return—that he had no intention to forsake his home in Liberty or make a new one in Pennsylvania. He is to be regarded as a refugee in Pennsylvania. He therefore was a resident, &c.

Allegation not sustained.

Patrick Conniton, voted in Liberty. Allegation—That he voted for Mr. Niven, and also that he was a non-resident.

Did he vote for Mr. Niven?

Name meant for him appears on the poll-list as voting the three tickets, (64.)

Told Stevens that he voted the clean democratic ticket, (202-204.)

[Senate, No. 104.]

The only evidence of his voting for Mr. Niven is the above admission.

Allegation not sustained.

Was he resident of Liberty?

Nanny produced certificate of Patrick Conniton and Barney Conniton, describing themselves as "resident of the town of Bethel, Sullivan county," &c., sworn to Oct. 14, '64, and used to procure exemption from the draft, (147,) Patrick, the son, Barney his father. He afterwards admitted to Stevens (204) that he had got clear of the draft on the grounds specified in the certificate. Stevens swears that he lives with his father in Bethel, and has for a year or two past—left the neighborhood about two weeks previously.

Nanny shows the voter enrolled in Bethel, (294.)

Soules says that he came to his house about two weeks before election and boarded there until after election. His father's house was within sight. He left his father's house and came over to his house, and slept with his wife at Stevens's house, (429-30.) To the same effect Fox, (437,) and D. T. Stevens, (870-2,) who says he went to Soules' to board about the 12th Oct.

This allegation not sustained because his admission not competent.

George W. Jones, voted in Fallsburgh. Allegations—That he voted for Mr. Niven and that he had not been in the State a year immediately preceding the election.

Did he vote for Mr. Niven?

His own testimony, page 354, shows that he did.

Allegation sustained.

George W. Jones—had he been in the State a year?

Devine says (64) that he always lived with his father until three and a half years ago, when he went to California; he returned from California late in November or early in December, 1862; had been doing business in California.

His name is checked on registry and is on the poll-list as voting the three tickets (278.)

His own testimony, (page 351, &c.,) shows that he is not positive about landing in N. Y., on the 2d Nov. 1862, (see page 354, folio 1784). He *thinks* he started Oct. 11; *thinks* he was 23 days out; started 3 or 4 times and did not get off; "can't recollect when he did get off;" he is positive that he came to New

York in the Champion; his name seems to have been entered at the hotel in Monticello, November 25th—(Id).

Crocheron, (page 660, &c.,) produces copy of the log of the Champion, (folio 3322,) which shows that the Champion did not arrive at New York in Nov. 1862, until the 13th. If this is competent testimony it outweighs, by its certainty, the recollection of Jones.

I think it competent, it is the highest evidence the circumstance of the case enabled the contestant to produce. The original log book was on board the steamer, where it is always kept, and she was at sea. This copy or abstract had been compared by the witness with the original, and he swears substantially that it was correct. This had been done at the time the ship was in port in Nov. 1862, and the paper was prepared, compared and deposited in the office of the owners, at the time, in compliance with a rule which requires this to be done regularly at the end of each trip. Indeed it might very properly be called an original paper, it being in fact, the only record kept by the owners of the facts contained in it, and the only one upon which they rely for the information which it furnishes. The log is a memorandum kept by the captain; this is a deliberate certificate which he makes to the owners at the end of his trip made up from the log.

This allegation is sustained and the vote must be deducted.

Wells G. Ely, voted in Thompson.

Allegations—That he voted for Mr. Niven and was not a resident.

Did he vote for Mr. Niven?

He swears that he did, (page 320).

Was he a resident of the town of Thompson?

I do not deem it important to refer to the testimony of the witnesses upon this subject; we must take his own statement if it is to be believed; we see no reason for discrediting it; it is found at page 316 *et seq*; he left Connecticut, his then residence, in 1860 and came to this State; he is an unmarried man; he seems to have remained in this State ever since, and in the counties of Ulster, Orange and Sullivan; he came to Sullivan April the 7th, 1863, (317) and remained there until after the general election that year. On the 15th April 1863 he took a certificate for a year from the superintendent of schools in that county for a year, and he swears that "settled his mind to remain in the county,"

and he did in fact remain the county, in other words, he fixed his residence there, and that is enough for the purposes of this case.

The allegation not sustained.

George W. Ridgway, voted in Thompson. Allegations—Voted for Mr. Niven, and that he was not a resident, &c.

Did he vote for Mr. Niven?

He swears he did, (page 488.)

Did he reside in Thompson at the time?

Stewart says he frequently heard Ridgway, while in Sullivan last summer, speak of going home to New York, (73.)

Luddington (78 *et seq.*) speaks of his coming to Sullivan apparently for amusement; of frequent conversations with him, in which he spoke of New York as his home. (See also 89, 180, 337.)

We have also the statement of the voter himself. He swears that his residence was at Monticello, in Thompson, at the general election in 1863, and had been for four months previously; but on his cross-examination, he states when he came there, why he came, how he lived, where he had lived before, the object of his being in Sullivan, his condition, occupation, and other facts, which are entirely inconsistent with a bona fide intention of making Thompson or Sullivan county his home.

This allegation proved, and the vote must be deducted from the aggregate vote of Mr. Niven.

Martin Toohey, voted in Thompson. Allegation—That he voted for Mr. Niven, and that he did not reside there at the time.

Did he vote for Mr. Niven?

His name appears on the poll list as voting the three tickets, (71.)

Swears he voted for Niven, (271.)

Martin Toohey—Did he reside in Thompson at the time?

Stewart, who lives in Monticello, says that Toohey disappeared from there the fore part of summer, and that he did not see him again until a few days before election; that he saw him the day after election, and has not seen him there since, (72, 77.)

C. V. R. Luddington says he had not seen him there for a long time before election, (83.)

Cole says he left Monticello in the summer of 1863, and thinks about two months before election. He came back the day before election, and returned the day after, he thinks. Toohey then told him he had been to New York.

Toohy's own statement (268, &c.,) is to the effect that he went to New York about two weeks before election, and not before that; that he went there seeking work, because he could not get any in Monticello; that he did not and does not intend to remain there; that he has considered Monticello his home all the time; that he left personal property in Monticello; that he has made arrangements to buy real estate there; that he intends to go back so soon as he can get work there.

There is nothing improbable about this story in itself, and it is not contradicted by any fact sworn to by the other witnesses.

This allegation not sustained.

James Hogeboom voted in Thompson. Allegations—That he voted for Mr. Niven and that he was not an inhabitant of the State for one year next preceding the election.

Did he vote for Mr. Niven?

He swears that he voted the whole democratic ticket (490) Dewey says he voted the democratic ticket. Democrats "engineered him through" &c., (98) he did not vote for school commissioner (see also 105-6.)

He undoubtedly voted for Mr. Niven.

Had he been in the State a year?

His own story (489 &c.,) is that he came into this State from Michigan two years and six months ago, less about 20 days, prior to the election in November 1864. He says (fol. 2459) that he is a resident of Sullivan county and will have been such resident probably three years next November (1864,) he came to the town of Fremont when he first reached Sullivan county, and three or four days after his arrival he went into the poor-house of that county.

He also states that when he first came into the State and before he reached Sullivan he worked in Chautauqua, Steuben and Chemung counties.

The record of the poor-house show that he was received November 11, 1860 and discharged February 27, 1863 (page 97.)

Dewey the keeper of the poor-house, says that when he first took charge of it (about October 1862,) Hogeboom told him that he had come into this State from one of the western States, that he came to Fremont and from there to the poor-house, (98.)

Dewey (98) and Hoyt (101) says that he was challenged, the challenge withdrawn and two of his tickets were put in before the school commissioner ticket was deposited he was challenged

again and refused to take the oath, and this ticket was rejected. To the same effect Howes page 105 &c.

Neil, the keeper of the poor-house before Dewey, says that Hogeboom was received while he was keeper, and remained in the house while he was connected with it. Hogeboom told him that he came from Elmira to Sullivan county, (307.)

He also states (535) that in the winter of 1861, he set Hogeboom to work. In the spring Hogeboom desired wages for this labor, which were refused. He then left the last of April, or the first of May, and was gone until the last of August, or the first of September, when he returned. His name was kept on the books during this time. It does not appear where he was during this absence.

The statement of Hogeboom contains inconsistencies which are apparent. From all the testimony upon the subject, we think the fact to be that Hogeboom came from Michigan into this State in the fall of 1860; that he traveled through the counties he names, and did some work on his way; that he reached Freemont in November, and two or three days thereafter, viz., Nov. 11, 1860, entered the poorhouse and remained there until February 27, 1863, except when he was gone a few months, as stated by Neil. We think he is to be regarded an inmate of the poor house during this period. He was not discharged, his name remained on the books; manifestly the keeper expected his return, and recognized his right to return, and Hogeboom himself no doubt expected to return, and did actually return and remain there over a year longer.

He cannot make himself an inhabitant or resident of the State while wandering through it, nor while in the poor house. He cannot make himself so by temporarily absenting himself from the poor house in this way.

In a word, we do not think he was an inhabitant of the State within the meaning of the Constitution, until after he was discharged, Feb. 27, 1863.

He therefore had not been an inhabitant of the State one year next preceding the election in question.

This vote must be thrown out.

William H. Andrews voted in Thompson. Allegation—that he voted for Mr. Niven, and that he was a non-resident.

Did he vote for Mr. Niven?

Name is on the poll list as voting the three tickets (70).

B. Luddington (94) says Mr. Niven came to the polls with Andrews, and stood beside him while he swore in his vote. He saw him vote, and thinks his ticket had the democratic heading. Allegation proved.

William H. Andrews—Was he a non-resident?

Stewart says he has not heard of him since election, (74.)

C. V. R. Luddington had only seen him about the neighborhood for a few days; he left soon after election, and he has not seen him there since: (81; see also 91).

Andrews name was not on the register, (85.)

He told B. Luddington (92) that he enlisted in New Jersey, and had formerly resided there. The same to Jellieff, (95, &c.) To the latter he also said that he had been discharged about nine months before, (97.)

Atkins (340) shows that Andrews was in Thompson on the 17th of June, 1863; also, that Andrews told him that he came to Sullivan county from Saratoga county: (see also 348.)

He told D. Watkins that his family was at Saratoga, (491;) that he had a daughter; that his wife was dead, (492;) that his daughter was living in Saratoga.

It appears, then, that Andrews swore in his vote, which covered this question of residence, both in the State and county. He told some persons that he enlisted as a soldier in New Jersey, but this naked fact proves nothing in regard to his residence at the time. He said, also, that he formerly lived in New Jersey; but it does not appear when that was, and it was for the contestant to show when it was. The presumption is always in favor of the voter, and therefore, in this case, it is that he had resided in this State for a year.

We spoke also of his family, but it is not shown that he had any family except a daughter, who resided in Saratoga; but this does not prove that Andrews had any household or domicile there.

The allegation not proved.

John H. Lilly, voted in Highland.

Allegations, that he voted for Mr. Niven; also, that he was a non-resident.

Did he vote for Mr. Niven?

His name on the poll list as voting the three tickets, (128.) Young (129) says that Lilly was electioneering for Niven on election day, and told him that he voted for Niven. Witness saw

him vote, (130;) saw his ticket, which was democratic, &c.: (134; see also 132.)

Allegation proved.

Was he a non-resident?

Young states positively that Lilly lived in Pennsylvania during the year preceding the election, (129;) that he moved there with family and furniture, and left his farm in Sullivan county in his, Young's, care to be sold, and that he had since sold it; that Lilly stopped at his house the night before election, and the day after election moved his family to Otsego county, where he said he had a job on a railroad. He also states that when Lilly moved away and put the farm in his hands to sell, he, Lilly, stated to him, Young, that he did not intend to return again, and that he wanted to get into some other business, (134.) Lilly also told Johnson, in Pennsylvania, that he had left there, meaning Highland; that he had lived in the town as long as he desired, and he should not come back unless compelled to. From the cross-examination of Young it appears that he worked upon a railroad in Pennsylvania with his teams by the day; that he kept house at various points along the line as the work progressed, and that he had some personal property in Highland which he sold at vendue about ten days before the election.

Kortwright says (343, &c.,) that when Lilly went over into Pennsylvania he left his farm and personal property, which he did not take with him, in the care of his brother, Jesse Lilly, and that he came back with his family before election.

Jesse Lilly says (346) that he had the care of his brother's house and personal property (left behind) while he was in Pennsylvania; and that he moved back his family into his house, in Highland, eight or ten days before election, and they remained there until after election.

See also the testimony of Robert Atkins, (347, &c.)

It appears als that Lilly frequently visited his place in Highland while he was in Pennsylvania; and Jesse Lilly says (349) that his brother said that he would come back in time to go on the farm in the spring.

If Lilly abandoned his home when he went into Pennsylvania with his family, with the then intention of not returning to it as a home or domicile, he certainly lost his residence in Highland, within the meaning of Art. 2 of the Constitution. That is, he was no longer a resident of Highland. If Young is to be believed

he did so abandon his home or domicile. Indeed, the placing of his farm in Young's hands for sale, the actual sale which has followed, the sale of all his personal property at vendue a few days before the election, his removals to Pennsylvania and Otsego county, show that he did this.

It will hardly be claimed that he brought back his family eight or ten days before election with any intention of making a home in Highland, and if he did he was not there long enough to make him a voter.

This allegation proven, and the vote must be taken out.

Patrick McLaughlin voted in Highland. Allegations—that he voted for Mr. Niven, and that he was an alien.

Did he vote for Mr. Niven?

His name appears upon the poll list as voting the three tickets (128).

Johnson swears (161) that he saw him vote, and that his ticket had a democratic heading. Eldred says he thinks there were no scratched tickets for senator at that poll (163). This also appears at page 164, from an examination of canvass.

Mr. Quick, the inspector, says the heading was that of a democratic ticket (224).

This allegation proved.

Patrick McLaughlin.

Was he an alien?

He seems to have been challenged at the polls, and stated under oath, that he had not his full papers (sworn to by L. F. Johnson) (161.) He was an Irishman (163). His name not on the registry (fol. 818). Fuller also heard him say at the polls, on his examination, that he had not his full papers (164).

Mr. Quick, one of the inspectors, says that his exact language was "I have not my full papers" (223).

Mr. Story thinks he was not sworn at all, and that he said nothing about his papers; but Mr. Story is shown to have been intoxicated at the time.

G. N. Kortwright, one of the inspectors, says McLaughlin was not registered; witness told him he must get some one to vouch for him, and asked him if he had his papers—he replied that he had. Afterwards he voted; did not hear him challenged (273-6).

We think the fact is that he was sworn, and that upon his ex-

amination said that he had not his full papers, and that his ballot was improperly received.

This vote must be deducted.

John W. Johnson voted in Forrestburgh. Allegations—that he voted for Mr. Niven, and that he was a non-resident.

Did he vote for Mr. Niven?

His name appears on the poll list as voting (253), not on the registry—*Id.* Drake says (254) he voted.

Moore, an inspector, says he voted a democratic ticket (255).

There were split tickets on senator at that poll (*Id.*).

He swears he voted for Mr. Niven (351).

This allegation proven.

Did he reside in that town?

Drake says (254) that he is a young man. His father resides in Barryville (Highland). He boarded about two weeks before election, at Simpson's (Forrestburgh). Was engaged in drawing lumber for his father, with his father's team. Penny says Johnson had no residence in Forrestburgh, to his knowledge, was there drawing lumber for his father, (254.)

Had boarded there about a month.

Moore says he was challenged and swore in his vote, (255.)

He was there drawing boards for his father, with his father's teams.

His own statement (349) *et seq.* is in substance; that his residence while in this job is and since September 8, 1863, has been at Simpson's, in Forrestburgh. This of course, is a mere conclusion. He states the facts, when he went there, the object, viz: to get out this lumber, and that he does not expect to stay there after it is got out, that he is 22 years old. He had lived previously three years with a brother, in Highland, then he went "home" to his father's; staid there from April to December 1862, then taught school three months in Orange county, then "went home" again and remained there until September 8th, 1863, as before stated.

We do not think a residence can be thus obtained. If it can, then a young man living in Albany, may go to the Catskill Mountain House for pleasure the first of June, staying until November, acquire a residence in Greene county, and have a right to vote there at the fall election. For pleasure is a lawful, though not so commendable an occupation as lumbering.

We think this vote must be deducted.

William Covert voted in Lumberland. Allegations—that he voted for Mr. Niven, and that he was a non-resident.

The allegation that he was a non-resident not proven.

Jeremiah Canfield voted in Lumberland.

It is conceded that he was an illegal voter and that he voted.

The only question is did he vote for Low or Niven?

There is no evidence as to how he voted, except admission of his, proved by his uncle, and his own statement on his examination.

That statement needs only to be read to appear untrustworthy for any purpose. He is manifestly of very weak mind, if not an imbecile.

We do not disturb this vote, for we cannot know for whom he voted.

Jacob Bodens voted in Tusten. Allegations—That he voted for Mr. Niven and that he was a non-resident.

Did he vote for Mr. Niven?

He says (257) that he took his ticket on election day, from a Mr. Beck, who was peddling democratic tickets—that he did not open the ticket, but voted it; did not see persons about the polls supporting the republican ticket.

Moore says (256) that Bodens is a democrat, that he told him that he had voted for Mr. Niven.

Allegation sustained.

Jacob Bodens—Was he a non-resident?

Bodens says (257) on his direct examination, that he returned from Pennsylvania the 10th of July, and that he had lived in Pennsylvania, and that he had worked for Capt. Beach there for the eight months previous, and that while he was there his family was with him and he had no other residence during the time he was there.

On his cross-examination he says he worked in Pennsylvania by the month while he was there; he made it his home there; that about four years ago he bought fifty acres of woodland in Tusten; there are no buildings upon it, but he has now some of it cleared and a piece of rye on it.

Moore says (256) that he resided in Pennsylvania from about Oct., 1862, with his family, until about haying time, 1863, when he removed back to Tusten; that Bodens is simply a laboring man.

We think the facts sworn to by Bodens himself fixes his residence in Pennsylvania for the eight months prior to July 10,

1863. He had a family which lived with him while he was there; he says that it was his home during that time, as it was undoubtedly. He was a laborer, and therefore engaged in his ordinary business when working by the month for Capt. Beach, and there is nothing in that fact which characterizes his stop in Pennsylvania as temporary. His assertion that he intended to make his home in New York, and that he regarded it as his residence, cannot change the actual facts stated by himself, indeed, is inconsistent with other statements made by him in relation to his residence.

Allegation sustained.

This vote must be deducted.

Cornelius W. Lovelace, voted in Cochection. Allegations—That he voted for Mr. Niven, and that he had resided in Pennsylvania within one year prior to the election.

This last allegation not sustained, which disposes of the case without examining the other.

John McCluskey, voted in Cochection. Allegations—That he voted for Mr. Niven, and that he was a non-resident.

Did he vote for Mr. Niven?

His name is on the poll list, voting the three tickets; entered as John McClusky and McClaussen, (173). Knapp says, (178). that he heard McCluskey, before election, say that he was a democrat, a strong friend of Governor Seymour; that he justified the New York riots, &c.; but he did not hear him express any preference for any of the candidates.

If we were permitted to act upon probabilities, we might say that this man voted the whole democratic ticket, and of course, for Mr. Niven.

But the burthen rests upon the attacking party to show that he undoubtedly did so, and we do not think the proof strong enough to warrant that conclusion.

This allegation not sustained.

John McClusky—Did he reside in the State for a year prior to election?

Knapp says, (176), that he moved him and his family and stuff, from Pennsylvania into this State, in February or March, 1863; before going to Pennsylvania, McClusky had worked and lived in New York.

Allegation sustained.

The previous allegation not being sustained, this vote cannot be disturbed.

Robert Bradley, voted in Cochection. Allegations—That he voted for Mr. Niven, and that he was a resident of Pennsylvania at the time, or had been within a year prior to the election.

Did he vote for Mr. Niven?

He was examined as a witness by Mr. Niven, but not asked the question, upon his direct or cross-examination, (383 &c).

Curtis says, (161), that he, Bradley, was surrounded at the polls by democrats, was twice excluded because not registered, came up the third time with the necessary papers, surrounded by democratic politicians; saw him vote; his ticket looked like the democratic tickets voted at the poll.

His name is on the poll lists as voting the three tickets, (173).

Appley says, (236), that Bradley told him, soon after election, that he voted the democratic ticket; also, that he had been drafted in Pennsylvania, and paid his exemption; thinks there was one democratic ticket in the district, on which Niven's name was erased, (237).

Allegation sustained.

Robert Bradley—Was he a non-resident?

Curtis says (168,) that he had known him to be in Pennsylvania for several years; knew he had a house and lot there, and that he lived in it several years; had heard him say that he was drafted, and offered to vote there; understood him to be an unmarried man.

Appley says (236) that, in a conversation with him soon after election, he claimed to be exempt from the draft in Pennsylvania because his residence was in New York; that he had known him to be working occasionally in New York on the railroad for the two or three last years, but he (witness) regarded his residence on the other side of the river, in Pennsylvania, because his house was there.

Bradley's own statement (383, &c.,) is to the effect that he has resided in Cochection since some time in 1861, and has had his washing and mending done there; owns a house and lot in Damascus, Penn., just across the river from where he resides; that he was drafted in Pennsylvania; had papers made out by Judge Curtis (the witness called by contestant) showing himself exempt because he was a non-resident of Pennsylvania; that he subsequently paid \$300 commutation money; that he worked two

months in Pennsylvania last spring for Mr. O'Reily; lived in O'Reily's house; was there to take care of the house and property of O'Reily; had his provisions sent over from O'Reily's.

On his cross-examination, it appears that he was naturalized in Pennsylvania; that he was then living in his house in Damascus; that he was in Pennsylvania last season from April 6th to June 6th, working for O'Reily; that he then came over into Cochection, and remained until after the draft, when he commenced working again, and has continued working there until he was examined; that he voted in Pennsylvania a year ago last fall, and offered his vote there last fall because he had been drafted there.

Hatfield says (387) he worked in this State the most of the time from March 4th, 1861, until April, 1863, and had his washing done in Cochection; that he then went to Pennsylvania April 6th; returned June 6th; worked for him until latter part of July; does not know where he worked after that, except that he now works in Pennsylvania for Mr. Bush.

O'Reily says he employed Bradley last spring to go over into Pennsylvania to take care of his property there; Bradley lived in his (O'Reily's) house, and his provisions were supplied by him (O'Reily); Bradley has lived "off and on" at Cochection for the greater part of last three years; could not exactly say where he was living at the time of the election; he is a laboring man, working mainly upon the railroad.

Mr. Drake, who lives in Damascus, Pennsylvania, says (799) that Bradley worked for him, lived with him, and had his washing done in Pennsylvania, from August 26th until October 31st, 1863; that he kept his clothes during this time in his (Bradley's) own house in Damascus.

We think the facts established by this evidence show Bradley's residence to have been in Pennsylvania. When the facts are known they must control. Bradley swears that he considers and has considered his residence in Sullivan during the last two or three years; but this is a mere conclusion. He was naturalized in Pennsylvania, and lived there several years concededly; he owned a house there, and lived in it, although a bachelor. He himself says that he voted in Pennsylvania in the fall of 1862, a fact inconsistent with his claim to be a resident in Cochection. He says he has had his washing done during the last two or three years in Cochection, which does not seem to be true; that he has

been in Cochection during the last year, except the two months last spring, which is not true, he having lived there for over two months just before the election. It does not appear that he ever voted or offered to vote in this State until last fall.

This allegation sustained, and the vote must be deducted.

Edward Keesler—voted in Cochection—conceded that he was an illegal voter; it is conceded also by the counsel for Mr. Niven, that it was not proved that he voted for Mr. Low, but he claims also that it was not proved that he voted for Mr. Niven. The only question therefore is, did he vote for Mr. Niven?

Theiss swears (424) that from the appearance of Keesler's ticket it was republican, and thinks Knapp a republican; came to the polls with him. Hill says (823) that Keesler is a democrat as he believes, that he has so understood from Keesler himself. Keesler told him that he had voted for Mr. Niven, but it was after this examination had commenced (824). He voted the three tickets (398).

Knapp says (825) that he did not come to the polls with Keesler.

Curtis had always understood him to be a democrat, (806.)

The evidence does not make it certain that he voted for Mr. Niven. The theory that he did depends almost entirely upon the admission made to Mr. Hill after the examination had commenced, and it would be unsafe to depend upon an admission given under such circumstances, conceding the evidence to be competent.

This allegation not sustained.

Frank Tobin, voted in Cochection. Allegations—That he voted for Mr. Niven, and was at the time a non-resident.

Did he vote for Mr. Niven?

Gregory says (139), he saw his name on the list; that Tobin told him he had voted for Mr. Niven.

This allegation rests entirely upon the proof of his admission.

Allegation not sustained.

Frank Tobin—was he a non-resident?

W. H. Curtis says (126) that Tobin is a single man, about 50 years old; has no domicile in Cochection.

Gregory says (139) that he has lived in Pennsylvania for the last year and a half or two years, and came from there the day before election or on election day, and left for Otsego county very shortly after.

Quinn says (406) that Tobin went to Pennsylvania about May 1st, 1863, and came back about October 1st, 1863.

This allegation sustained.

William Gregg, voted in Cochection. Allegations—That he voted for Mr. Niven, and that he was a resident of Pennsylvania.

Did he vote for Mr. Niven?

Jenkins says, (120), that he heard Gregg repeatedly say, during election day and evening, that he had voted for Mr. Niven.

Gregory says, (138), that Gregg several times publicly stated that he had voted for Mr. Niven, during election day and evening.

These declarations may be considered part of the *res gestæ*, and ever sufficient.

This case is made out.

William Gregg—Was he a non-resident?

A. H. Curtis says, (126), that Gregg is a single man; has a father and several brothers across the river, in Pennsylvania; has generally lived with them; has seen him frequently on the Cochection side of the river.

Gregory says, (138), that Gregg's father and mother have lived in Pennsylvania since they came into the country; are Irish; Gregg has always claimed his home there with them; always speaks of it as his home. Witness, (142), also says that Gregg is not a voter; that he, Gregg, says that he voted in Pennsylvania last fall.

Ross says, (237), that he had a talk with Gregg a few days (then) before; Gregg stated he had been living with his brother-in-law, in Pennsylvania, through the summer; that he left his brother-in-law's the morning of election, and came over and voted; that he had had previous conversations with him; that he always called his home in Pennsylvania; that he has been working for four or five years past at "one place and another," on both sides of the river; made it his home at two or three places; sometimes with people in Cochection.

Quinn says, (405), that he voted in Cochection; that he has been in that town the most of the last seven or eight years; that he returned from a visit to Ireland in 1860; brought his trunk to his (Quinn's) house, where it still remains; kept his clothes there always, and had his washing always done in Cochection; that he was a laboring man who took jobs around; that he was in Pennsylvania a short time in June or July, hoeing corn and at work at haying.

Moulthress says, (418), that he has known Gregg in and about Cochection, for four or six years, and was with him when he got his last papers at Monticello, two years ago.

Allegation not sustained.

George S. Peters, voted in Cochection. Allegations—That he voted for Mr. Niven, and that he is a minor.

Did he vote for Mr. Niven?

Jenkins says, (119), he voted, and told him that he had voted the whole democratic ticket.

Peters' name is one of the list of unregistered voters whom Gregory swears were democrats, and who voted the democratic ticket in district No. 2, Cochection, (137 to 142).

This allegation sustained.

George S. Peters—was he a minor on election day?

Jenkins says (119) that he thinks him under 21, from his knowledge of his father's family; saw his father married, and he has been a neighbor to witness since. Peters told witness on the 2d of January, 1864, that he was not 20 years old. He says in substance that the father was married about 1838 or '39; that there is a brother older than George S., and about two years between the two; that the older brother was 21 in the spring of 1863.

W. H. Curtis says (125, 127) that Peters told witness on election day that he was not old enough to vote. At the time the 56th regiment was being recruited, his father told witness that he was about 18 years old.

Mr. Young says (141) that Peters was not a voter, that he was a minor.

This allegation sustained, and the vote must be deducted.

Thomas Keesler—Did he vote for Mr. Niven?

Jenkins says (120) that he voted. Gregory says (138) that Keesler told him that he voted for Mr. Niven.

His name is also one of the unregistered voters mentioned by Gregory who voted at district No. 2, in Cochection, and who, he says, are democrats and voted the democratic ticket that day, (See pages 137 to 142 inclusive.)

This allegation sustained.

Thomas Keesler, voted in Cochection. Allegations—That he was a non-resident, and that he voted for Mr. Niven.

Was he a non-resident?

Jenkins says (120) that he resided in Pennsylvania prior to the spring of 1863, when he moved into New York.

[Senate, No. 104.]

From his cross-examination it appears that his only knowledge of Keesler living in Pennsylvania is derived from Keesler's talk with him, (see also 122.)

W. H. Curtis says (124) that Keesler resided in Pennsylvania with his family for the 3 or 4 years past, until last spring, 1863, (see also 127;) Gregory to the same effect, (138.)

This allegation sustained.

Constantine Wood, voted in Cochection. Allegations—That he was a non-resident, and that he voted for Mr. Niven.

Was he a non-resident?

Gregory says (139) that he now resides in Cochection; that he came there a day or two before election as he, Wood, claimed from New York. He had been in Cochection two or three times during the summer, but claimed to live in New York—and that his goods and tools—voted—swore in his vote.

Ross says (236) that he had known Wood eight or ten years; that he had no residence or home in Cochection to his knowledge. He came to that town two or three days before election.

Wood says (543, &c.,) that he had resided in Cochection since September, 1862. He says in substance, he was a sort of pedler; had lived in New Jersey prior to September, 1862.

B. Ross, brother-in-law of Wood, swears that Wood's wife and child had boarded with him 18 or 20 months; that Wood himself was a pedler, being absent frequently, and once about three months, (see also 693.)

We think Wood was a resident of Cochection at the last election, and had been since September, 1862.

This allegation not sustained.

Constantine Wood—Did he vote for Mr. Niven?

Gregory says (140) that he voted. He was a warm friend of Mr. Niven, and advocated his election before election.

Martin Haas, voted in Cochection. Allegations—That he is an alien and voted for Mr. Niven.

Was he an alien?

Gregory says he is a German and can scarcely speak English. His name is on the poll-list as voting, (227.)

Curtis says that Haas told him, when he subpoenaed him, that he had one paper (meaning naturalization paper) and no more, (233) (235.)

Martin Haas—Did he vote for Mr. Niven?

Curtis says (233) that Haas told him he had voted—he did not

know he had voted—but had voted a ticket which he received from Aaron Lovett. Witness says that Lovett was a working man on Mr. Niven's side—distributed more tickets that day than any other man. This conversation seems to have been about the time Haas was subpoenaed. See also 554.

We do not think this allegation sustained.

Levi Apply, jr., voted in Cochection. Allegations—That he was a non-resident and voted for Mr. Niven.

Was he a non-resident?

Gregory says (225) that he cannot speak positively as to his residence. He was a young unmarried man, worked at jobs. Had a father living in Pennsylvania; has been principally in Pennsylvania since election, and working with his father; he was in Cochection last spring, rafting, &c., and boarded at Mr. Balkie's; was there again in the fall for a time. His habit was to go backwards and forwards, working sometimes in one State and sometimes in the other; was drafted in Pennsylvania, and paid his \$300; had no home or domicil in Cochection, except as a boarder, to the knowledge of witness. As to when he first went to Pennsylvania, &c., &c., see 228.

Balkie says (669) that he boarded with him a year, about, before last fall; sometimes was absent a while, working about; occasionally in Pennsylvania, but generally in Sullivan county; kept his things at the house of witness.

This allegation not sustained.

Levi Apply, jr.—Did he vote for Mr. Niven?

Gregory says that Apply is a strong democrat, and was a strong advocate of the democratic candidates, probably the strongest of any of the young men who lived in the place, (225.)

He says further, that Apply told him that he had voted.

No other proof.

Allegation not sustained, there being no proof that he voted at all, except his own admission.

Note—See if his name is on the poll-list as voting.

Jas. Robish, voted in Cochection. Allegations—That he was a minor and alien, and that he voted for Mr. Niven.

Was he a minor or alien?

Gregory had conversations with him (141) from which it appears that Robish was a foreigner by birth, and he thinks him about 22 or 23 years old. Metzger swears to admissions of Robish, made two or three days before witness was examined, that he,

Robish, would be 21 February 10, 1864. which admission is not worth much, (217.) He talked with Robish at Mr. Low's request.

Metzer, who has charge of hands upon the railroad, says Robish was under him as a hand a part of last spring and summer, (1863,) said at the time that he could not be drafted, as he was not of age, and admitted that he was a foreigner. On the testimony of Metzer, which shows an admission before the election, and therefore to be taken, he is proved to be a minor.

It does not appear that he was not naturalized, except by the inference which may be drawn from his years and the admission to Metzer that he thought he had a right to vote because he was a soldier. This admission, obtained as it was, is entitled to but little weight.

Allegation sustained.

Jas. Robish—Did he vote for Mr. Niven.

Metzer swears (217) to admissions made the Sunday before witness was examined, by Robish, that he voted the whole democratic ticket. Witness saw and conversed with Robish at request of Mr. Low. He is also on Gregory's list of unregistered voters, whom he says were democrats.

Allegation sustained.

John Braheney voted in Cochection, Allegation—That he is an alien and that he voted for Mr. Niven.

Was he an alien?

He admitted to Gregory (226) that he was born abroad, is an Irishman, and that he has not been naturalized. Admission made a few days before witness was examined. Braheney said also that he thought he had a right to vote because he was enrolled as a soldier, (230.)

Witness says, that he knew before Braheney told him, that he was not naturalized; he, witness, had told him several times before that he ought to get out his papers (*Id.*)

Allegation sustained.

John Braheney—Did he vote for Mr. Niven?

Admitted to Gregory that he voted the democratic ticket, all through, (226.) He is also on Gregory's list of unregistered votes, whom he says were democrats and who voted.

Poll lists show that he voted (233.)

Curtis says, that he had a conversation with him before election about his politics, he always advocated the democratic ticket (233.)

Allegation sustained.

James Traynor—Did he vote for Mr. Niven?

Gregory swears to his admission that he voted the clean democratic ticket, (226) see also, (229) Gregory told him that if he would tell how he voted, perhaps they would not require his attendance as a witness. He swears also to his name on the lists as voting (230.)

No other proof.

Allegation not sustained.

James Traynor, voted in Cochection. Allegations—That he was an alien, and that he voted for Mr. Niven.

Was he an alien?

Gregory swears to his admission, that he was not naturalized, and is an Irishman (226.)

Also, that he knew he was not naturalized from a circumstance stated by him, in relation to a deed given to his wife, in the summer of 1863 (230.)

Allegation sustained.

John Brower, **Henry Brower**, **Theodore** or **Conrad Cooke**, **John Huneschall**, **Adam Hass**.

These cases abandoned by contestant.

John Homer, **Philip Kline** and **Joseph Kline**.

These voters were foreigners by birth, but there is no proof that they were not naturalized, and it does not satisfactorily appear how they voted.

Allegations as to them not sustained.

Gustavus Heineman voted in Fremont—conceded that he was not naturalized.

Did he vote for Mr. Niven?

Swears himself that he voted what he understood to be the democratic ticket—the three tickets—received them from Holcomb. This is equivalent to saying that he designed to vote such a ticket; that he sought such a ticket, as must be supposed, from one whom he could trust to give it to him, and that he was told by Holcomb that it was a democratic ticket.

We think he voted for Mr. Niven.

Allegation sustained.

Jas. McBride voted in Mamakating—conceded that he voted for Mr. Niven.

The only question was he at the time a resident of Thompson or Mamakating.

The voter undoubtedly believed that his residence was in Mamakating, but we think it was in fact in Thompson. He lived very near the line between the two towns, and the testimony in regard to the line is very conflicting.

Allegation sustained.

James Nichols, voted in Mamakating. Allegations—that he was a non-resident, and that he voted for Mr. Niven.

Was he a non-resident?

He states on his direct examination, that he had lived for a year past in the town of Fallsburgh, and on his cross-examination that he had been living three months in Mamakating when he voted, and before that in Fallsburgh.

Allegation not sustained.

James Nichols—Did he vote for Mr. Niven?

He swears that he voted the democratic ticket “all through.” Matthew Munn gave it to him.

Allegation sustained.

Stewart Hobart voted in Mamakating—conceded that he was a non-resident.

The only question is, for whom did he vote.

The evidence is conflicting. He himself (921) is entitled to but little credit.

It is not proved for whom he voted.

Albert Sheely, voted in Neversink—conceded that he voted for Mr. Niven.

The only question is, was he a non-resident at the time?

His own testimony (493) is to the effect that he is a single man; is a teamster and owns teams; that prior to 21st Oct. 1863, he lived in Neversink with a relation, Peter H. Sheeley; that he considers Sullivan his home still; that on the 21st Oct. 1863, he took board at Low's in Ulster county, having a job of teaming, and this was convenient for his purpose; that he has remained there ever since; that previous to November he had his washing done at Peter H. Sheeley's.

Peter H. Sheeley (495) says he resided with him immediately previous to Oct. 21, 1863, when he went to Low's; before election his washing was done at the house of witness, it is now done at Low's.

Admissions of Sheeley are also sworn to by Benson and Watkins tending to show that he had gone to Ulster to live.

We think the facts show him to have been a resident of Ulster on election day.

Allegation sustained.

Abraham Cronk voted in Goshen—allegation that he was a minor and voted for Mr. Niven.

An indictment and copy of minutes showing plea of guilty, given in evidence (69, &c.); indictment charges that he was not qualified to vote.

Admissions of Cronk and his father that he was not of age, and of the former that he voted for Mr. Niven shown by Fullerton (150).

Redfield (152) saw Cronk vote and says his ticket had the democratic heading, which, he says, was easily to be distinguished from the ticket of the opposite party; Cronk was also challenged by a republican as a minor.

There were tickets having erasures in that district on both sides. (See also 221).

We suppose that the admission of his father that he was a minor, and the statement of Redfield are sufficient to show that he was a minor and that he voted for Mr. Niven without resorting either to his own admissions or the indictment, although we see no good reason to reject his own admissions to Fullerton.

Allegation sustained, vote rejected.

Joseph S. A. Judson voted in Goshen, says he voted for Mr. Niven—the only question is, was he 4 months in the county immediately preceding the election.

He says himself (271) that he started from Buffalo on the night of the 4th of July 1863 and reached Goshen the night of the 5th; had not lived in Orange county before. This makes it short of 4 months to November 3d, the day of election.

Allegation of non-residence sustained and vote rejected.

Casper Reve voted in Goshen—Allegations that he was an alien and voted for Mr. Niven.

He swears he was naturalized (221) and it is not proved that he was not.

Allegation not sustained.

John M. Redner voted in Monroe. Allegations—That he voted for Mr. Niven, and that he was a minor.

He was sworn himself, and it appears from his testimony that he voted the clean democratic ticket, and that he was a minor at the time.

Allegation sustained. and vote rejected.

John Utter voted in Warwick. Allegations—That he voted for Mr. Niven, and had not been a resident of this State for a year prior to the election.

His name appears upon the poll list as voting the four tickets, (189).

Bradner, (192), and Burt, (195), surveyors, say that the house Utter lived in, prior to 1863, was in New Jersey. Indeed it was conceded on the argument, on the part of the sitting member, that Utter did so reside

There were no split tickets in that district, (199).

Mr. Hoyt shows, (197), that Utter voted the democratic ticket. Allegation sustained and vote rejected.

Dan'l O'Brien voted in Warwick. Allegations—That he voted for Mr. Niven, and was an alien.

Conceded that he was an alien.

Did he vote for Mr. Niven?

The only proof is of his own admission.

Allegation not proved.

William Sullivan voted in Montgomery. Allegations—That he voted for Mr. Niven, and that he had not been four months in the county before election.

There seems to be no doubt that he voted the democratic ticket.

He came to Peter E. Miller's to work, in August, 1863, and then told him that he had come direct from Yonkers, and two or three days after he commenced work, went to Yonkers after his clothes, (210). He makes his own statement (411), and swears that he came to Orange county in May, 1863; he is a very unreliable witness, and we are constrained to receive his statement to Mr. Miller, in August, when he had no feeling or motive to deceive, rather than his story upon the stand.

We think he had not been four months in the county on election day.

Allegation sustained, vote rejected.

John Leddy voted in Newburgh—Conceded that he voted for Mr. Niven.

Charged that he was an alien?

It seems from his own testimony (333), that he thinks he was naturalized in Savannah; but he declares that he never got but one paper. If this fact be true, he is mistaken in supposing that he was naturalized.

We think he was not naturalized.

Allegation proved and vote rejected.

David Ferguson.—The testimony leaves it entirely uncertain for whom he voted.

His vote cannot therefore be reached.

The foregoing are all the cases of alleged illegal voting for Mr. Niven, insisted upon by the contestant at the final hearing. He abandoned all the others which he had attacked.

Voters alleged by the sitting member to have been illegal, and who voted for Mr. Low.

We do not understand the sitting member now to insist upon the cases of Samuel Harper, George Powell, Samuel Brome, Simon Boyd, Robert Brome, Francis Brome, Isaac Balmore, Jacob Balmore, Asa D. Marvin and John Mackeny. We shall therefore not consider them.

The first case contested is that of Robert Hosie, who voted in Fremont. Conceded that he voted for Mr. Low.

Ques. Was he an alien?

He swears (829, &c.,) that he was born in Scotland; that his father removed to this country and settled in Lowell, Mass., about 1832; that he followed the next year, being about seven years old; that he had seen, about 1839, his father's naturalization papers, and examined them; that for two or three years before he had seen his father's name on the poll lists required to be put up in Massachusetts; that witness had voted at nearly every election since he came to this State.

Allegation not sustained.

Andrew M. Lawrence, voted in Calicoon. Allegations—That he voted for Mr. Low, and was a minor at the time.

Hefer says (506) that he was enrolling officer in Calicoon last summer; he called on Lawrence; told him he heard he was 20; Lawrence hesitated, and at last said, I guess you may put me on, I believe I am 20. Again (585) he says, that he called on Lawrence in jail the morning he (witness) was examined, and Lawrence told him he was 21 in December or January then last. Witness went to the jail with Mr. Thompson, Mr. Niven's counsel, for the purpose of getting his admission.

• Lawrence swears himself (925) that he was born Oct. 22d, 1842, and that he is 21 years, and denies that he stated to Thompson or Hofer that he was not.

• We think his affidavit must govern, and that he was not a minor on election day.

Allegation not sustained.

Richardson Campbell, voted in Bethel. Allegation.—That he voted for Mr. Low, and was a minor.

Conceded that he voted for Low.

Smith, a justice, (603) says that the parents of Campbell, with himself, came to him November 27, 1863, to make affidavit for exemption from the draft, and father, mother and son all made affidavit that he would be 20 years old April 20, 1864. Nanny (620) shows that Campbell was exempted from draft as a minor.

Campbell (882) says that he believes by what his parents state that he was 22 July 23d, 1863.

Admits he signed a paper before Esquire Smith; cannot read, took an oath, but he understood it that he swore that he believed his father's oath.

Allegation sustained.

George Blair, voted in Newburgh. Allegations—That he voted for Mr. Low and was a minor.

Blair says (892) that he was 23 March, 1864. Says he did not tell Miller his correct age.

Brown (894) swears positively that he was born four days after the inauguration of Harrison, which would be March 8, 1841. He cannot be mistaken.

Allegation not sustained.

Lee M. Brown, voted in Bethel. Allegations—That he was a non-resident, and voted for Low.

Brown says (709) in effect that he lived in Thompson some years prior to May, 1863, and then he went back to his father's house in Bethel; was a single man; that has been his home since.

The last of May he went to South Carolina with some goods, without any intention of remaining, and returned about 1st of July to Bethel. In September he was in New York about two weeks and then returned to Bethel, and remained there until about the middle of December, 1863.

Allegation not sustained.

Daniel Brooks, voted in Thompson for Low.

Was he a non-resident?

There is some evidence showing a general impression that Brooks had gone to Haverstraw, boating with his brother, in 1861.

Hoyt says (612) that he is brother-in-law of Brooks; the latter has lived with him for nine years; that he went to Haverstraw to boat, in March, 1861; he boated a short time; then he enlisted in the navy, and has been in the navy and army ever since; that Brooks has no other home than his, witness' house, to his knowledge; he claims it as his home; all his personal property is with witness, and he sends his money from the army to witness to keep; and that he came from the hospital in Philadelphia and voted and returned.

Allegation not sustained.

Charles Gorton voted in Fallsburgh, for Mr. Low. Allegation—that he had not been in the State for a year previous.

Gorton says (page 807) he went into Pennsylvania, October, 1860, with no particular purpose, to see the country as much as anything; expected to be gone not over six months; worked with two different parties, altogether about four months; then boarded at a boarding-house three or four weeks, during which time he was not seeking employment, but waiting to come home. While there, and about 26th of April, 1861, enlisted in the army until May, 1863, when he was discharged, and came back to his father's, in Fallsburgh, and has been there ever since.

If this witness is to be believed, he never lost his residence in New York.

Allegation not sustained.

Josiah Hardenburgh voted in Fallsburgh, for Mr. Low. Allegation that he was a resident of Orange county.

We think the evidence sustains this allegation. He was in Orange county at work as a tinner, for nearly a year; then went to his father's for a short time, then went back to Orange Co. to work at his trade, and while there joined a drover, and while with him enlisted in the army, where he has since been.

Samuel McWilliams voted in Thompson, for Mr. Low. Alleged non-resident.

Van Etten says (426) that he worked for him and lived with him in Deerpark, for three months, commencing September 14th, 1863.

Norris states to the same effect (426)—he states that McWilliams said his home was in Thompson.

Geo. McWilliams, father of Samuel, says (769) that his son came home from the army in June, 1863, staid at his home except when out at work around. In September he went into Orange to

work; left all his clothes at his house except what he wanted for a fortnight; came home every fortnight; his washing was done there; came home Saturday before election, returned the Friday following, and then remained awhile; returned home again and re-enlisted.

Allegation not sustained.

Asa Raymond voted in Newburgh, for Mr. Low—Alleged non-resident.

The evidence shows that Raymond was a machinist; had a wife and two children. Prior to his enlistment he lived in Newburgh; kept house; enlisted in Oct., 1862, and joined the camp of his regiment, in Newburgh. In December, his wife went to her mother's, in New Windsor, with their furniture. He went off with his regiment in February, '63. She went to Elizabethport, N. J., in April, and remained there until he returned, in October, '63. He then went for his wife, brought her back; they staid at her mother's some two weeks, during which was the election. He shortly after took his wife back to Elizabethport, and he has worked in New York, or joined the navy. While in the field he claimed Newburgh as his home.

See 441 to 445, and 888, &c.

Raymond did not intend to forsake Newburgh when he enlisted; all the facts show this. He was evidently a poor man, is not likely to have had much furniture. When he sent his wife and furniture to his mother-in-law's, he did not intend to make that his home, but merely that she should remain there until he returned. It does not appear why she went to Elizabethport, or that he had anything to do with the movement. He certainly gained no residence there by that act. Where then was his residence? We think at Newburgh, where he resided when he enlisted, to which he meant to return and again go to work in his old place.

We think the allegation not sustained.

Peter B. Hazen, voted in Cornwall for Mr. Low. Alleged—That he was a non-resident.

Beattie says (459 &c.,) that Hazen was employed as a teacher in Cornwall, in 1859, that he continued there as a teacher until in 1862, when he enlisted, was a young unmarried man, came from Greenwood Lake; his father removed to Sparrow Bush, in the western part of county. Hazen used to visit his father's twice a year, saw him in Cornwall twice when from the army on a furlough.

Chatfield (730) swears that Raymond boarded in his house in Cornwall, from the time he came to teach December 1859, until he enlisted from his house in August 1862; had a room there, his clothes, books &c., has spent about 40 days with him when at home on a furlough; since he joined the army, has sent his allotment money to him, that he voted once in Cornwall before he joined the army, and he thinks several times.

Ring (917) says, Hazen used to say in vacation when he settled up, that he was going home, (meaning to his father's) and he knows that he was absent during these vacations.

Allegation not proved.

Nathan M. Lambert, voted in Deerpark: Alleged—That he voted Mr. Low, and that he was a non-resident.

Brown says (545) that he enlisted in spring of 1861. His mother then resided in Greenville. The father and mother came from New Jersey to Greenville, then to Deerpark a month, then to Penn., then back to New Jersey. Had lived in New Jersey from two to four years previous to coming to Greenville. Thinks young Lambert had a wife, at least he lived with a woman there. He came to the polls with Dr. Lawrence, a republican who vouched for his residence.

Note.—This is all the proof there is as to the ticket he voted.

Phebe Lambert says (625 &c.,) that he enlisted two years ago last April, and has been in the army since. Lived with her in Greenville, Orange county, when he enlisted, she lived in Greenville but a short time, then went to Port Jervis, lived in Port Jervis one month, then went to Pennsylvania, remained there six months, then went back to New Jersey, and has remained there ever since. Her son about 27 years old, was married, has not lived with his wife for four or five years.

Bennett who lives near Port Jervis in Deerpark, says (866) that Lambert was raised in Deerpark. He was always about his place, about the time he went to the war. Does not know of his being any where else. Witness considered that his residence. He was working around the neighborhood, Lambert told witness on his return on furlough that Port Jervis was his residence.

We do not think it proved that Lambert's residence was not Deerpark. His residence surely did not wander about with his parents. It is not easy to say that he had any residence when he enlisted, if he had, it seems to have been Deerpark. Neither is it proved that he voted for Mr. Low.

Allegation not sustained.

Amos Eager, voted in Crawford. Alleged—That he voted for Mr. Low and that he was a non-resident.

His mother, Susan Eager, says (716) her son was brought up in Crawford, where she lives; lived at home until 24 years old, then married, went to Newburgh as a clerk, kept house there until he enlisted in 1862; he then joined the forces at Goshen, and his wife went to her father's; they broke up house keeping; the things which were hers were taken to her father's and those which were his were taken to his father's; when he was home on furlough, he got his wife and came with her to his father's, which he made his home; he claimed that as his residence. His wife has remained at her father's in Montgomery during the time he was absent in the army.

To the same effect his father, (719.) •

He appears to have been challenged, also, at the polls and to have taken the preliminary oath, (580.)

It is manifest that he abandoned Newburgh as a residence, when he enlisted, and there is no reasonable doubt that he intended then to fix his home at his father's, and that he did do so. His wife went to her father's, as a temporary arrangement for her comfort and pleasure, not to fix or give to Eager any home or right of home there.

Again, we do not discover any proof that he voted for Mr. Low.

This allegation not sustained.

Oliver Crosby, voted in Cochection. Allegations—That he voted for Mr. Low, and had not resided in the State a year, &c.

Theiss says (391) that Crosby worked for a man in Pennsylvania last winter, (1862-3.) Young swears (401) that Crosby told him that he voted the republican ticket. Angell says (468) that he told him that he voted for Mr. Low; also that Crosby told him that he had resided in Pennsylvania. Crosby was a teamster—was in Pennsylvania driving team—was a young unmarried man—returned to New York about the first of January, 1863. His conversations with Crosby were on the 5th of February, 1864, and he took it down in writing at the time.

He was registered, (823.)

Hill says (822) Crosby makes his home with his (Crosby's) father, in Cochection—has always lived there—is about 23 years old.

Knapp speaks to the same effect, (825.)

See, also, Curtis' statement, (826.)

Crosby himself says (907) that he resides with his father, in Cochection, and has always done so—that the health of his father is feeble and has been for five years—that he was in Pennsylvania four or five months, driving team—came home about every two weeks, unless the weather prevented—sent home his savings while there—did not expect to stay but a few months when he went.

This case, upon the question of residence, is analogous in some respects, to that of John W. Johnson, ante. Also to the case of Albert Sheely, ante.

But Johnson was working for his father and with his father's teams, he cannot be said to have abandoned his father's house as a home; he was temporarily absent from it and that is all.

In the case of Sheely, he was working for himself, with his own teams; he had made arrangements at Low's which contemplated an entire transfer of himself and his property from Sullivan to Ulster. When in Sullivan he had been merely a boarder at Peter H. Sheely's—he had no family or domicil there—of course when he went to Ulster he left none behind him. His intention to return at some uncertain time cannot change these facts, otherwise a man may remove to California for the purpose of making a fortune and then returning—and actually stay there for years in business, and come back on some election day and vote. His intention when he left, to ultimately return, would not preserve his original residence, under such circumstances.

In the case of Crosby, he never removed to Pennsylvania in any proper sense. His home was at his father's, in Cochection—he left it to earn some money, but he did not abandon it, even temporarily—took nothing with him but necessary clothing, the rest remained at his father's—went home frequently during his employment in Pennsylvania—sent his earnings there, and manifestly designed to establish no home anywhere else.

Again, there is no proof as to how he voted, except his admission to Angell.

Allegation not sustained.

Isaac Townsend voted in Cornwall for Mr. Low. Allegation—That he had not resided in the State a year.

He was a young, unmarried man; his parents lived in Cornwall, and he seems to have lived with them until about May,

1863, when he went to Washington and that neighborhood (463), and remained there until October, 1863, when he returned.

He says (757), he went to Washington, May 5th, last, to seek employment from Government, and if not, to return; if he succeeded, intended to stay a short time, did not know how long; remained in Washington until May 19th, then went to Acquia Creek; employed in the commissary department until 15th June; General Hooker's retreat compelled him to leave; returned to Washington; remained until 28th August, when he returned home to Cornwall; while in Washington, was drafted there, and he was engaged in getting rid of it, and should have got home sooner had he not been drafted; got clear on the ground he had been enrolled in Cornwall; and on his way home heard of his father's death, when he got to Newburgh: see (917) also.

. This case is something like the case of Crosby, and yet there is a difference; he left his father's to seek employment, and if he found it, to remain from home an indefinite period; he found employment; he lost his place apparently by the fortune of war, but still it was, while it lasted, an employment, which, coupled with his previous intention, changes his residence; at least deprives him of his residence, within the meaning of the Constitution, at Cornwall.

He was not in the military or naval service of the United States, within the meaning of the Constitution, but a mere employee.

Allegation sustained.

Benjamin H. Nelson voted in Highland, for Low. Allegation —That he was a non-resident.

Kortwright says (474), Nelson went over to Pennsylvania to sell goods, and subsequently was employee of the railroad company as a clerk, late in the fall of 1862; during his absence, visited his father, in Highland, frequently.

Gardner says (477), to same effect.

F. W. Johnson says (480), that Nelson was in Pennsylvania about 13 months; thinks he was so residing immediately preceding the election; that he had a store there and was engaged in selling goods.

Riddle, a railroad contractor, says (533), that Nelson commenced in Pennsylvania with a store of goods, but this not occupying his whole time, he aided in keeping the time for the mana-

ger of the work at that point, (in Pennsylvania) and was on company's pay roll for about six months.

Nelson himself says (783), that he went to Pennsylvania about November 1, 1862, to keep a store for a short time only; did not know exactly how long; they were building a railroad from Lackawaxen to Hawley, in Pennsylvania; that he intended to do business, during the winter, there, and come home in the spring; that he was there until spring, selling to the railroad hands; then intended to leave, but was finally employed on the railroad, and remained there during the summer, and as clerk and time keeper for the company, staid until about September 1, 1863, and then had a vendue; sold out most of his goods, and came back about December 1, 1863; that he generally came home once a week or fortnight, and never away longer than a month; most of his washing and mending done in Highland, a little in Pennsylvania; was enrolled and drafted in Highland; he was a young unmarried man; before he left Pennsylvania, he had partly made arrangements to go to New York city to reside; he considers his home and residence in Highland.

As the counsel for the sitting member properly argued, a man cannot fix his residence by a mental resolution; the law fixes it. Intention alone cannot control, it must be taken in connection with his acts.

We think Nelson was a resident of Pennsylvania as alleged. Allegation sustained.

Andrew H. Embler, voted in Montgomery for Low. Alleged non-resident.

A. H. Embler, brother of the voter, the only witness, (604,) says, in 1861 himself and Andrew were residents of the city of New York, where the voter was engaged in the plumbing business; voter enlisted at the commencement of the war for three months; wounded at first battle of Bull Run, and immediately returned to witness' house in New York, and remained in New York until October following, (1861) when he entered the army a second time as a lieutenant. During the time intervening the battle of Bull Run and October, 1861, he went into business again in New York for a short time, which business he sold out a short time before he went into the army a second time. The voter had been in the army ever since. That in May, 1862, witness, with his father and family, moved to Montgomery, bringing

all the goods and property of the voter; voter has had furloughs, and spends them at witness' house; voter a single man.

The voter's residence when he joined the army in October, 1861, was clearly New York. Could he change his residence while in the army, and if so, did he change it?

We think he could change it. The mere fact of his being a soldier did not give him a residence, or take that which he had away; but there is nothing to prevent him from changing it himself if he chooses. If he has a family he may remove them to a new home in another county or State, and his residence would follow that removal. If unmarried, he may also remove his residence in fact; the difficulty in the latter case is to determine whether it has been actually done. In this case we think it was. In May, 1862, his brother removed his family to Montgomery, taking all his (the voter's) goods and property with him. The voter adopted this act as his own; recognized his brother's house in Montgomery as his home; left his property there; spent his furloughs there; called it his home, and did everything which circumstances permitted to make it his home.

Allegation not sustained.

Alonzo Ellison, voted in Bethel. Alleged non-resident.

It appears from the evidence that he is a young, unmarried man; father lived in Bethel, a farmer; went to Pennsylvania in October, 1861; was a part of the time, until Feb., 1863, working on farms in Pennsylvania and New York, the most of the time in Pennsylvania; that he voted in Pennsylvania at a town meeting, as he says, because he thought he had a right to vote if not challenged. The voter and his father say, in substance, that the understanding when he went away was that he should return to his father's whenever sent for. Arrangement between father and son was, that the son was to remain on the farm and have it when the father died. The voter says, in substance, that his absence was temporary, and that he always regarded his father's as his home. (See page 884, &c.)

He voted in Pennsylvania; was there nearly seventeen months. Allegation sustained.

George W. Crumley, voted in Bethel—alleged that he voted for Mr. Low and was a non-resident.

No proof as to how he voted except by his own admissions. Allegation not sustained.

John McAllister, voted in Newburgh for Mr. Low—alleged to be a minor.

Evidence of minority very clear (page 289–293–299).

Allegation sustained.

Daniel Depew, voted in Newburgh—alleged that he voted for Mr. Low, and was a non-resident.

No proof as to how he voted except his own admissions, made after the examination commenced.

Allegation not sustained.

John H. Baldwin, voted in Newburgh for Mr. Low. Alleged non-resident.

The facts are that he had lived in Newburgh for years prior to the Wednesday before election, at which time he moved his family and goods over to Fishkill, in Dutchess county, under the following circumstances:

He had given notice to his landlord in October that he should give up his house the 1st of November 1863; his plan was to build himself a house in Newburgh about the 1st November; took his family, &c., to Fishkill and left them at his father-in-law's for a few days until the house he had hired there should be vacated; he did not stay himself at Fishkill a day or night until after election; he was employed in a saw mill in Newburgh, and has remained working there ever since, and boarded in Newburgh until after election. The week after election his family went into the house he had hired for them; they remain there still. He intends to move back his family the first of May; he considers Newburgh his home. He cannot retain a residence or make one by simple volition, the law fixes it, and we think it fixes it in Dutchess county.

Allegation sustained.

Jeremiah Embler, voted in Thompson for Low. Alleged non-resident.

The proof is that he resided with James McBride, and at Burtis' tavern. He last was in the town of Thompson. We have already decided that James McBride resided in Thompson. It was alleged, however, that the voter was absent in Ulster county about three weeks, and returned about the time of the draft, which was in October, 1863, (page 764, &c.)

Allegation not sustained.

William Wigley voted in Thompson for Low. Alleged alien. He was registered, (646.)

Swore in his vote, (647.)

Mrs. Quinn (342) thinks he was not naturalized, but she does not know whether he was or not.

Allegation not sustained.

Samuel Clark voted in Thompson for Low. Alleged alien.

No proof that he was not naturalized, (672,) (627,) except the negative fact that there is no record of it in Sullivan county.

Allegation not sustained.

William Waters voted in Rockland. Alleged alien.

No record of his naturalization in Sullivan county, (437.)

No other proof that he is not naturalized.

Allegation not sustained.

George Heath voted in Thompson for Low. Alleged alien.

No record of his naturalization in Sullivan, (327.)

His admission that he had not his papers complete (fol. 2494) is sworn to. Admission made a few days before witness was examined.

Allegation sustained.

Ira Whipple voted in Liberty for Low. Alleged non-resident.

There is much evidence as to the location of the house of Whipple, and it is very conflicting.

We are not willing to say that it was proved that Whipple was a resident of Bethel.

Allegation not proved.

Deliverance Brown voted in Fremont for Low. Alleged non-resident.

We think Brown's own statement (714) shows that he was a non-resident.

Allegation sustained.

Edward Hubert, Deerpark, voted for Mr. Low. Alleged alien.

We think it proved that he was not naturalized, (524, 530, 441, 542.)

Allegation sustained.

Jacob Fisher, voted in Deerpark, for Low. Alleged non-resident.

Was a brakeman on the Erie rail road ; resided in Port Jarvis for several years ; on the 23d day of October 1863, went over the river and commenced boarding at Brink's tavern, but did not move his things over until after election, and slept there sometimes in the caboose ; had and has his washing done in Port Jarvis, and since

November 5th has worked in the machine shop there; calls Port Jervis his home and residence.

Allegation sustained.

Robert Harris—alleged alien.

The only proof of his voting for Low is that of his admissions.

Allegation not sustained.

Edward Nott, voted in Middleton for Low. Alleged non-resident.

Murphy says (682) that Nott brought his wife from Newton, N. J., to Middletown last summer, (1863). Nott was a soldier and came to Middletown from the army; witness does not seem to be clear when Nott came back.

McAvoy says (687) that Nott came back to Middletown in summer of 1862, and that fall brought over one or two of his children to Middleton; it was a good while before his wife came; his wife had been living in New Jersey; she had one child with her when she came up; Nott and his wife had not lived together for some time.

Sweet says, (923) first saw Nott in Middletown in fall of 1862, in September or October. A subscription then was got up for him to procure a wooden leg; thinks he has been there since; knows that he had two of his children there; the woman who washed for me had the care of them; Nott told witness that he had not lived with his wife for some time; they did not live together. The fact seems to be, that Nott did not live with his wife but very little. He was in Middletown from September or October 1862, until after the election; had two children with him; his wife and one child were during this time, up to the summer of 1863 in N. J.; why she was there or how living does not appear. We think his residence was Middletown.

Allegation not sustained.

Matthew Kearney, voted in Neversink. Alleged convict.

The question is, whether the record of conviction given in evidence (466) is sufficient, &c.

William S. Davidson, voted in Cornwall. Alleged—Non-resident.

The evidence shows that Mr. Davidson owned a place in Cornwall, where he and his family had resided for three years and over. About June, 1863, he let his place, with the house and furniture, for four months, to a Mrs. Underhill—put his horses at pasture, and went with his family to Pennsylvania to spend the

summer—returned about 1st of October with his family—reoccupied the place, and sometime thereafter sold out his property at vendue, (459, 731, 734, &c.)

Allegation not sustained.

Thomas Jackson, voted in Mamakating—a colored man. Alleged—not qualified.

Proved (555) that he said that he voted the republican ticket.

Not assessed in Mamakating, (629.)

Witness, Lockwood, does not know that Jackson owns any real estate in that town, (630) (see contradiction 632.)

Henderson says (638) that he voted the republican ticket.

It seems that Jackson lives on a lot in Mamakating on which there is a house—has voted for several years—swore in his vote some years ago, upon being challenged—then stated that he held land in the northern part of the State, which he got of Gerrit Smith.

The allegation of disqualification not proved.

George Lovett voted in Montgomery for Mr. Low. Alleged—Non-resident.

According to his own statement (900) we think he was not entitled to vote.

Allegation sustained.

Harvey Bowne voted in Montgomery, for Low. Alleged—Non-resident.

There is much evidence in relation to this case. From it all we gather that Bowne formerly owned the undivided half of a farm in Montgomery and his brother the other half. In May, 1863, he sold out his interest to his brother, with a verbal understanding that he should retain his room in the house, where he left all his clothes, furniture, &c. He then visited his sister in Poughkeepsie, three weeks, and returned to Orange and continued at his old home until nearly the holidays, when he again went to his sister's and continued there until he was examined. He says that the old farm house is his home, that he has merely visited Poughkeepsie; he is a bachelor and possessed of some property, (842, &c.)

We think he did not change his residence.

Allegation not sustained.

Charles Ray voted in Liberty, for Mr. Low. Alleged—Non-resident.

He is a young unmarried man; his father lives in Liberty.

Ray swore in his vote—claimed that his residence was at his father's (619.)

Kent swears (619) that Ray told him that he had been to Pennsylvania at work.

Fox says (621) that he was gone in Pennsylvania nearly two years and returned in 1863.

Stevens (794) and Alexander Ray, the brother of Charles, say that Charles has lived at his father's continuously for years past, except that Alexander says that he was absent in Pennsylvania a year ago last winter, about two months.

D. T. Stevens says (871) that he was working in Pennsylvania a good part of the summer of 1863.

We think it not proved that he was a non-resident.

Allegation not sustained.

James Brennan voted in Chester for Mr. Low. Alleged alien.

The proof is clear that he was not naturalized.

Allegation sustained.

John Craven voted in Walkill for Mr. Low. Alleged alien and non-resident.

He was proved an alien.

Allegation sustained.

Thomas Sheridan, Walkill, alleged alien, &c.

No proof as to the vote he gave, except his own admission.

Allegation not sustained.

Aaron Nichols voted in Walkill for Mr. Low. Alleged alien, &c.

The proof shows him to be alien.

Allegation sustained.

John Finch voted in Fallsburgh for Wm. Low. Alleged non-resident.

He had resided in Virginia about 43 years; driven from that State by guerrillas; came to Sullivan county October, 1862, and has lived with and lived since with one of his children. He left Virginia for ever, he says, (704.)

Allegation not sustained.

Frederick Becker voted in Fremont for Mr. Low. Alleged non-resident.

This is a peculiar case; Becker was a batchelor; had a shop with a kitchen attached in Fremont; was a cabinet maker and carpenter; worked in his shop winters at cabinet making, and went about in summer working at carpentering or cabinet mak-

ing; did so in the summer of 1863; worked about six months in Callicoon; while gone let his kitchen to a neighbor for four months, and until he could complete his own house; worked in Callicoon by the day; returned to his place about twice a month; had some of his washing done in Fremont, but the greater part in Callicoon; He had some furniture in his kitchen, and although not said, the presumption is he lived in this building, constituting his shop and kitchen. He did not offer to vote in Callicoon, though but three or four miles from the polls there, but went to the polls at Fremont, five miles from his work, which shows what he regarded as his residence. He returned to his work in Callicoon after election, and remained there some time after, (723, &c.)

We think these facts take the case out of the rule applicable to young men leaving their fathers' houses and going out to work. He left an actual domicil, to which he meant to return.

Allegation not sustained.

Aaron Van Bencoten voted in Fremont for Low. Alleged non-resident.

The facts of this case are briefly these: The voter is a married man; keeps a hotel and store in Fremont, near the Delaware county line; owns a 400 acre wood lot in Delaware county, near him; had a job of a thousand cords to cut last summer; sent some men there to do it; established a temporary boarding house, in the log house on the lot, for the men; placed a man and woman in it; they did not manage to suit him; his wife went up to take charge of it for a while; he and she were there some time, generally returning to their house in Fremont on Saturdays, and going up again the next week. They went up in September, and the things were moved back about January 1st.

Allegation not sustained.

Augustus Winslow voted in Fremont, for Low. Alleged—non-resident.

Winslow is a single man.

Rutz says (591) that his residence was at his brother-in-law's, Ward in Callicoon. He was challenged and swore in his vote (593.) Bayer says his home was Callicoon (594) although he says he was residing in Fremont at the time, and had worked for Smith there about 14 days.

Hann saw him (670) at Ward's in the spring or early summer, dont think he saw him there during the last four or five months.

Buck swears that he worked for him in Fremont, from February

9th, to September 5th, 1863, and then after about two weeks commenced working for Smith, and continued with him until after election. He had his washing done in Fremont while with witness.

Allegation not sustained.

Melvin H. Knapp voted in Fremont for Low. Alleged not in the State a year, &c.

A single man; he had lived for several years away from his father's house, generally at Palmatier's, in Fremont, during the last two or three years; he was a laboring man; worked most of the time at Palmatier's, and sometimes where he could get a job; his father, who lives in Delaware county, is in feeble health, and three of his sons have joined the army, leaving him without necessary aid to conduct his farm; he wished the voter, last season, to come and help him; he went in May, and remained until the first of July, doing such things as were needed to be done. The voter also had a sister-in-law, residing some 6 or 7 miles from Palmatier's, in Pennsylvania, whose husband was in the army; she appealed to him to come over and get in her hay. After returning from his father's, the 1st of July, he went to this sister's; the weather would not permit hay to be made; Mr. Scudder, living there, wished him to peel bark for him; he did so until he could make hay; then made the hay, being engaged in Pennsylvania, in this way, about a month; then went back to his father's about the first of August, and helped his father about three weeks, getting his hay; then returned to Fremont again; worked there until after election. The witness, in detailing these events, spoke of his father's house as "home," but he says he had taken care of himself since he was twelve years old. He had voted for two or three years in Fremont; says, on inquiry being made, that he spoke of his father's house as "home," because it is natural for a son to do so, but that he did not consider it his residence, (his own statement, 837).

Unless such a man's "residence" necessarily travels with him as he goes from job to job, and unless it is impossible for him, under any circumstances, to have a permanent residence, then we think Knapp's residence was in Fremont, during the year 1863. The circumstances under which he went to his father's and to Pennsylvania, take from these acts all indicia of change of residence; they should no more work such a change than a forcible detainer.

Allegation not sustained.

Adolphus Gorham, Mamakating, voted for Low. Alleged non-resident.

Without citing the evidence, we think it clearly shows that he was a resident.

Allegation not sustained.

William H. Daniels voted in Mamakating for Low. Alleged that he was not four months in the county.

Had been in the army, came back last June. Gumaer says, he may have been there ever since (630), but thinks he was away part of the summer, (631).

Henderson says (636), that he was a part of the summer in Orange county; came back to Sullivan county about September or October; but he says, also (639), that he supposed his residence to be in Mamakating, and had his name put on the Registry; he had no parents, and was a single man; had voted in the town before.

Bennett says (760), that Daniels has been in Mamakating 8 or 10 years; has seen him about there; was in the army for a time; came back last spring or summer; and mentions the persons with whom he had known him to live before enlisting.

Parcells thinks his home was Mamakating, (876). So does Cogswell, (877).

Brown says (881), he was in Mamakating all summer, except about two weeks, when he was blacksmithing in Orange county; told him he was going to Orange county but for a short time, when he went.

We do not think it proved that he was not a resident of Mamakating.

Allegation not proved.

Hasbrook Dubois, voted in Mamakating for Low. Alleged that he was not four months in the county.

A single man; clergyman; called to the church in Bloomingburgh prior to July; arrangement was that he should take the church July 1st; preached every Sabbath in July; was there more or less every week in July; stopped at Mr. Stitt's when in Bloomingburgh; the first Sabbath in July was the 5th; drew his salary from the 1st; contract commenced on the first; spent the time in July, when not in Bloomingburgh, at his relatives in other counties; his things came at different times; his congregation was to send for them, and it being haying and harvest it

was delayed two or three weeks; he had no settlement with Mr. Stitts about board until about the 1st of January; then Mr. Stitts said he would compute the board from 20th July, when he settled down regularly.

We do not think the commencement of Mr. Dubois' residence at Bloomingburgh is to be determined alone, either by the day the contract began to run, or by the time his effects were brought there. If he was in fact in Bloomingburgh on or before July 3d, 1863, and then and there took possession of his place as pastor, and from that time intended it as his residence, it thereby became his residence. It appears that he boarded with Mr. Stitts before the 20th July, just as really as he did after that time, and from aught that is proven was at Stitt's house as many days each week before that time as he was afterwards. The failure of the congregation to bring his effects, and the liberal spirit of Mr. Stitts in making no charge for board before the 20th, cannot affect the question.

It is not proven that Mr. Dubois was not in Bloomingburgh on or before July 3d. The allegation, therefore, that he was not a resident of the county four months prior to the election, is not established.

Lemuel E. Minard, voted in Goshen for Mr. Low; colored man; claimed that he was disqualified.

We think the proof does not sustain this allegation.

Daniel Helms, voted in Mamakating for Low. Alleged—Non-resident.

Had a wife and child in Virginia; lived there prior to the war; wife and child there now; he has been peddling or exhibiting stereoscopic views since the war; he claims his home at his father's in Sullivan county.

This allegation not sustained.

William Morgan, voted in Monroe. Allegation—Not in the State a year, and that he voted for Low.

We do not think the allegation that he was a minor is sustained.

It will thus be seen that we find the allegations sustained as follows:

In the cases attacked by Low.....	23
In the cases attacked by Niven	16
	<hr/>
Balance in favor of Mr. Low.....	7
Bring forward Low's majority, irrespective of illegal votes..	3
	<hr/>
Making Low's actual majority...	10

We therefore find and report thrt Henry R. Low was duly elected Senator of the 9th Senatorial district, at the general election held in November, 1863, by a majority of all the votes cast for Senator in that district at said election; and that he is entitled to the seat in the Senate now held by the Hon. Archibald C. Niven.

All which is respectfully submitted.

A. H. BAILEY.

Dated *April 23d*, 1864.

The undersigned concurs in the principles of the foregoing report, and believes that its general conclusion is correct. He has not been able, for want of time, since the conclusion of the argument, to go over with the chairman of the committee, in detail, each step of the process by which it was arrived at.

To facilitate and hasten a conclusion, the chairman and the undersigned divided the labor of the consideration, and while the chairman took up the allegations of illegal voting, the undersigned examined the matter of defective ballots.

In considering them, he followed rules which he supposed would commend themselves to all the members of the committee.

The results he arrived at have been, as he understands, scrutinized again by the chairman of the committee, and agreed to by him.

But the undersigned has not been able to consider for himself each case of illegal voting thoroughly.

He believes that the general result arrived at is correct.

CHAS. J. FOLGER.

Dated *April 23d*, 1864.

FORTY-SIXTH ANNUAL REPORT

OF

THE TRUSTEES

OF THE

NEW YORK STATE LIBRARY.

TRANSMITTED TO THE LEGISLATURE APRIL 4, 1864.

ALBANY

COMSTOCK & CASSIDY, PRINTERS.

1864.

State of New York.

No. 105.

IN SENATE,

April 4, 1864.

ANNUAL REPORT

OF THE TRUSTEES OF THE NEW YORK STATE LIBRARY.

To the Hon. DAVID R. FLOYD JONES,

Lieut. Governor and President of the Senate :

Sir—I have the honor to transmit the Annual Report of the Trustees of the State Library.

I remain, respectfully,

Your obedient servant,

JOHN V. L. PRUYN,

Chancellor of the University.

STATE LIBRARY, ALBANY, *March 24, 1864.*

The Regents of the University of the State of New York are, by law, declared to be *ex-officio* trustees of the State Library. The following are the members of the Board at the date of this report :

JOHN V. L. PRUYN, LL. D., <i>Chancellor.</i>	
GULIAN C. VERPLANCK, LL. D., <i>Vice-Chancellor.</i>	
HORATIO SEYMOUR, LL. D., <i>Governor. (Ex-officio.)</i>	
DAVID R. FLOYD JONES, <i>Lieutenant Governor. (Ex-officio.)</i>	
CHAUNCEY M. DEPEW, <i>Secretary of State. (Ex-officio.)</i>	
VICTOR M. RICE, <i>Superintendent of Public Instruction. (Ex-officio.)</i>	
ERASTUS CORNING,	ERASTUS C. BENEDICT,
PROSPER M. WETMORE,	GEORGE W. CLINTON,
JOHN LORIMER GRAHAM,	REV. ISAAC PARKS, D. D.,
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JAMES S. WADSWORTH,	ROBERT S. HALE,
ROBERT CAMPBELL,	ELIAS W. LEAVENWORTH,
REV. SAMUEL LUCKEY, D. D.,	J. CARSON BREVOORT,
ROBERT G. RANKIN,	GEORGE B. PERKINS,
REV. J. N. CAMPBELL, D. D.,	
	SAMUEL B. WOOLWORTH, LL. D., <i>Secretary</i>

Standing Committee specially charged with the care of the State Library during 1864.

REV. DR. CAMPBELL,*	THE SECRETARY OF STATE,
MR. VERPLANCK,	MR. BENEDICT,
THE GOVERNOR,	MR. BURROWS.

Officers of the State Library.

Librarian of the Law Library.

ALFRED B. STREET.

Librarian of the General Library.

HENRY A. HOMES.

Assistant Librarians.

JOHN H. HICKCOX,

SAMUEL G. W. BENJAMIN.

* After the date of this report, and on the 27th of March, 1864, Dr. Campbell died, and the Chancellor was appointed chairman of the committee.

REPORT.

To the Honorable, the Legislature of the State of New York :

The Forty-sixth Annual Report on the condition of the State Library, is herewith respectfully submitted by the Trustees :

The additions to the library by purchase during the past year have been less in proportion to the whole sum expended than in the preceding year by more than three hundred volumes. This has been caused by the largely advanced prices of books; and it is probable that the additions of the present year will be even more seriously diminished, particularly in foreign books, the purchases of which beyond pressing necessities, have been almost entirely suspended.

Many valuable contributions have been made by the friends of the library, all of which will appear in the appended list of donations. Among these the Trustees mention specially a valuable collection of works, chiefly scientific and foreign, of two hundred and two volumes, from James Lenox, Esq.

The system of foreign and domestic exchanges has placed in the library many valuable works, one hundred and four foreign maps, five atlases, and more than three thousand pamphlets. A set of the large county maps of the State, with the exception of those of four counties, has been purchased.

At the close of the year 1862, as stated in their last report, the whole number of volumes in the library was..... 63,104

In the law department..... 17,870

In the general library 45,234

At the close of the year 1863, the whole number of vol-

umes in the library had been increased to..... 66,301

By addition to the law department of..... 561

do do general library of..... 2,636

3,197

Of these additions there were by purchase.....	1,935
By donation and exchange	1,262
Total	<u>3,197</u>

At the last session of the Legislature \$750 was appropriated "for the purchase by the trustees of the library, of the manuscripts and correspondence of Sir William Johnson and others, to be deposited and preserved in the State Library." This collection did not prove as full as was expected, and only \$500 was paid for it. It however forms a very valuable complement to the "Johnson Papers," previously in the library, and when the index to the whole, now in the course of preparation under a resolution of the Legislature, shall be completed, these papers, of high value in connection with the early history of the State, will be rendered easily accessible.

The contributions of British Patents, made by the Great Seal Patent Office of Great Britain, have been continued, and are conveniently deposited in suitable cases.

The supplemental catalogue of the law department, which was stated in the report of last year to be in the course of preparation, has been completed to the end of the year 1863, and is now in the press.

The portraits of President Van Buren, Governor Seymour, Governor Morgan, Thurlow Weed, Edwin Croswell and Dr. Wendell, former Chancellor of the University, have been added by donation to the portrait gallery of the library.

Respectfully submitted, by order of the Trustees.

JOHN V. L. PRUYN,

Chancellor of the University.

ALBANY, *March 24, 1864.*

**The Secretary of the Regents of the University, *ex officio*
Treasurer of the Library fund, in account current for
the year ending September 30, 1863.**

1. CASH RECEIVED FOR THE PURCHASE OF BOOKS.

1862-3.	Dr.
To balance from last account (see Senate Document No. 126, page 8)	\$38 64
To amount received from the Comptroller, being the annual appropriation for 1862-3	3,000 00
To interest on deposits	84 50
	<hr/>
	\$3,123 14
	<hr/> <hr/>

1862.	Cr.
Nov. 3. By cash paid J. W. Bouton, New York, No. 1,	\$35 87
3. T. W. Reeve	2, 76 80
24. J. Munsell, Albany,	3, 47 55
Dec. 1. H. Bossange, Paris	5, 37 44
15. Munn & Co., New York	6, 14 00
15. J. Munsell, Albany	7, 45 52
15. F. H. Little, Albany	8, 92 58
16. Henry Barnard, Hartford	9, 26 25
22. William Gowans, New York	10, 32 40
29. H. A. Homes, Albany	11, 21 30
1863.	
Jan'y 5. F. H. Little, Albany.	13, 106 83
5. R. P. Smith, Philadelphia	14, 171 00
12. D. Van Nostrand, New York	15, 17 25
12. John J. Smith, Philadelphia,	" 10 00
12. H. V. Poor, New York	" 5 00
19. W. C. Little, Albany	16, 27 90
19. W. B. Sprague, Jr.	17, 81 22
April 6. D. G. Elliot, New York	21, 35 00
7. H. Stevens, London	22, 484 78
11. J. M. C. Armbruster, Baltimore	23, 39 78
13. G. S. Diossy, New York,	24, 18 00

Apr. 13.	J. Munsell, Albany.....	25,	\$23 86
27.	Rev. J. P. Langworthy, Boston.....	27,	25 71
May 4.	Mrs. H. L. Parmelee	28,	75 00
20.	Leonard & Co., Boston	29,	21 02
30.	J. Munsell, Albany	30,	292 12
June 8.	W. C. Little, do	32,	100 35
22.	F. H. Little, do	33,	90 65
29.	N. J. Bartlett, Boston	34,	17 49
26.	W. H. Piper & Co., Boston	35,	15 74
July 13.	Banks Bros., Albany	37,	68 84
20.	S. R. Gray, do	38,	29 70
Sept. 28	D. Van Nostrand, New York.....	40,	30 60
28.	W. Gould, Albany.....	41,	28 75
28.	T. W. Reeve, New York	42,	78 50
28.	F. H. Little Albany	43,	47 16
28.	E. H. Bender, Albany.....	44,	29 75
28.	W. B. Sprague Jr., Albany	45,	26 35
Sundry persons for small accounts, brought together in vouchers Nos. 4, 12, 18, 19, 20, 26, 31, 36, 39, 46, with their sub-vouchers			
			399 61
			<hr/> \$2,827 67
By Balance to new account			295 47
			<hr/> \$3,123 14

2. CASH RECEIVED FOR BINDING, MARKING AND STAMPING BOOKS.

1862-63.

Dr.

To amount received from the Comptroller, being the annual appropriation for 1862-63

\$1,200 00

1862, Oct.

Cr

By balance from last account (see Senate Document No. 126, 1863, page 8)

\$105 82

1862-3.

By cash paid T. Seymour, D. L. Van Antwerp, A. Hallenbeck, S. McKnight, T. S. Murphy, vouchers

1-5

1,073 53

By balance to new account

20 65

\$1,200 00

3. CASH RECEIVED FOR CONTINGENT EXPENSES OF THE LIBRARY.

1862-63.

Dr.

To balance from last account (see Senate Document No. 126,
1863, page 9) \$129 23

To amount received from the Comptroller, being the
annual appropriation for 1862-63 750 00

\$879 23

1862-63.

Dr.

By cash paid voucher No. 1, viz:

freight and express charges \$160 05

stationery 61 20

printing 10 50

daily cleaning 166 66

contingents 65 76

furniture 163 49

\$627 66

Balance 251 57

879 23

4. CASH RECEIVED FOR INTERNATIONAL AND STATE EXCHANGES.

1862-63.

Dr.

To amount received from the Comptroller, being the
annual appropriation for 1862-63 \$400 00

1862-63.

Dr.

By balance from last account (see Senate Document
126, 1863, p. 9) \$60 70

By cash paid freight charges 148 97

do books for exchanges 17 48

\$227 15

Balance 172 85

\$400 00

General Statement.

1862-63.

Dr.

To amount received for the purchase of books and
balance of last year \$3,123 14

To amount for binding, stamping and marking.....	\$1,200 00
To amount for contingent expenses and balance of last year	879 23
To amount for exchanges	400 00

\$5,602 37

1862-63.

Cr.

By amount paid for books	\$2,827 67
do do binding	1,179 35
do do contingent expenses	627 66
do do exchanges	227 15

\$4,861 83

Balance

740 54

\$5,602 37

The undersigned, in behalf of the standing committee on the State Library, has examined the foregoing accounts and the vouchers in support of the same, and find them to be correct.

JOHN V. L. PRUYN.

ALBANY.

Catalogue of Books and Pamphlets

RECEIVED IN THE

NEW YORK STATE LIBRARY,

BY

DONATION OR EXCHANGE, DURING 1863.

AUSTRIA.

Royal Academy of Sciences, Vienna.

Sitzungsberichte der Kais-Akademie der Wissenschaften. Mathematisch-Naturwissenschaftliche classe. Band 46, heft 3, 4, 5 : Band 46, heft 1-4. Vienna, 1862-3. 8°.

Sitzungsberichte der Kais-Akademie der Wissenschaften. Philosophische-Historische classe. Band 40, heft 4, 5; Band 41, heft 1, 2; Band 42, heft 1, and Register. Vienna, 1862-3. 8°.
Almanach der Kais-Akad. der Wissenschaften. Jahrgang. 1863. 12°.

Imperial and Royal Geographical Institute, Vienna.

Mittheilungen der K.-K.-Geographischen Gesellschaft, 5th Jahrgang, 1861. Vienna, 1861. 8°.

Imperial and Royal Geological Institute, Vienna.

Jahrbuch der K.-K.-Geologischen Reichsanstalt, 1863. Nos. 1, 2.
General Register, Band 1-10. Vienna. 1863. 8°.

BAVARIA.

Government of Bavaria.

Bevolkerung und die Gewerbe des Königreichs Bayern, 1857, 1862. München, 1863. fol.

Jahresberichte der Landwirthschaftlichen centralschule zu Weihenstephen, 1862-63. 12°.

Royal State Library at Munich.

Sitzungsberichte der Kon-Bayerischen Akademie der Wissenschaften zu München, 1861. Band 2, heft 1-3; 1862, Band 1, heft 1-4; Band 2, heft 1.

Annalen der Koniglichen Sternwarte bei München. Band 11.
München, 1862. 8°.

Abhandlungen der Mathemat-Physikalischen classe der Kon.
Bayerischen Akademie der Wissenschaften zu München.
Band 9. No. 2. 1862. 4°.

Abhandlungen der Historischen classe, band 9, No. 1. 1862. 4°.

BELGIUM.

Government of Belgium.

Chemins de Fer. Compte-rendu des operations de l'exercice
1861. Bruxelles, 1862. fo.

Royal Academy of Sciences of Belgium.

Annuaire de l'Académie Royale des Sciences etc., de Belgique.
1863. 12°.

Bulletins de l'Académie Royale, etc. 31me année, tomes 13, 14.
Bruxelles, 1862. 8°.

Memoires Couronnés et autres mémoires. Collection in 8°.
Tomes 13, 14. Bruxelles, 1862. 8°.

Alexander Geesten van Jacob Van Maerlant; voor de eerste
maal uitgegeven door F. A. Snellaert. Tweede deel. 8°.

Bibliothèque de M. Le Baron de Stassart, leguée à l'Académie
Royale de Belgique. (Catalogue.) Bruxelles, 1863. 8°.

Van Meenen & ~~Me~~ie, Bruxelles.

Ouvres de Saint-Simon; précédées d'un Essai sur sa doctrine.
Bruxelles, 1859. 3 vols. 8°.

CANADA.

Government of Canada.

Report of the Commissioner of Public Works for 1861 and
1862. 8°.

Report of the Postmaster General for 1862. 8°.

Report on the Militia for 1862. 8°.

Report of the Minister of Agriculture and Statistics for 1862. 8°.

Report of the Commissioner of Crown Lands for 1862. 8°.

Public Accounts of Canada for 1862. 8°.

Tables of the Trade and Navigation of Canada for 1862. 8°.

Journals of the Legislative Assembly of Canada. Vols. 21, 22,
for 1863 and 1864. 8°.

Journals of the Legislative Council. Vols. 21, 22, for 1863 and
1864. 8°.

Sessional Papers. Vols. 21, Nos. 1-6. Vol. 22. 1 vol. 8°.

Hesperus, and other Poems. By Charles Sangster. Montreal, 1860. 12°.

Ornithologie du Canada. Par J. M. Lemoine. 1st pt. 2d Ed. Quebec, 1861. 12°.

Flore Canadienne, ou description de toutes les plantes des forets, champs, &c., du Canada. Par L'Abbé L. Provancher. Québec, 1862. 2 vols 8°.

Annual Reports of O. Fortin, magistrate in command of the expedition for the protection of the fisheries in the St. Lawrence, during 1861 and 1862. 2 vols. 8°.

Geological Survey of Canada. Report of progress, from the commencement to 1863. Montreal, 1863. 8°.

Laval University. Quebec.

Notes sur les plantes recueillies en 1858, par M. l'Abbé Ferland, sur les côtes de Labrador. 8°.

Celebration du 200^e anniversaire de la fondation du Seminaire de Québec, 30. Avril, 1863. Québec, 1863 8°.

Constitution et réglemens de l'Université Laval. Québec, 1863. 8°.

Notice sur les Plantes de Michaux, et sur son voyage au Canada et a la Baie d'Hudson. Par l'Abbé Oviede Brunet. Québec, 1863. 8°.

Lower Canada Reports. Vol. 12. Quebec, 1863. 8°.

University of Toronto.

Abstracts of magnetic observations made at the observatory, Toronto, from 1856-1862 and parts of 1853-4-5. Toronto, 1863. fo.

Literary and Historical Society, Quebec.

Transactions of the Literary and Historical Society of Quebec. Vol. 5. part 1. Quebec, 1862. 8°.

J. W. Dawson, Montreal.

Air breathers of the coal period. By J. W. Dawson. Montreal, 1863. 8°.

Microscopic structure of some Canadian Limestones. By J. W. Dawson. Montreal, 1863. 8°.

On an erect sigillaria and a carpolite, from Nova Scotia. By J. W. Dawson. 8°.

On the pre-carboniferous flora of New Brunswick, Me. By J. W. Dawson, 8°.

Alpine and Arctic plants. By J. W. Dawson. Montreal, 1862. 8°.

On the Silurian and Devonian rocks of Nova Scotia. By J. W. Dawson. 8°.

On the Flora of the Devonian period in North-eastern America. By J. W. Dawson. 8°.

On the discovery of additional remains of Land Animals in the coal measures of the South Joggins, Nova Scotia. By J. W. Dawson. 8°.

On the vegetable structures in Coal. By J. W. Dawson. 8.

Notice of tertiary fossils from Labrador, Maine, &c. 8°.

Notice of the Natural History collections of McGill University. 8°.

Notes on the coal fields of Pictou. By H. Poole. 8°.

Capt. L. A. H. Latour, Montreal.

Journal of Education of Lower Canada. Vols. 6 and 7. The same in French. Vols, 4, 5, 6, 7. 4°.

Notice sur M. Jean-Baptiste Bruyere. Montreal, 1859. 18°.

Coins and medals as aids to the study of Holy Writ. By S. G. Bagg. Montreal, 1863. 12°.

Reports of the Natural History Society of Montreal, for 1858, 1859, 1860, 1861, 1862. 8°.

Constitution and By-Laws and List of Members of the Natural History Society of Montreal. 1859. 8°.

FRANCE.

Legislative Body.

Table analytique des procès verbaux et des comptes-rendus des Seances du Corps Législatif. Sessions de 1858, 1859, 1860, 1861, 1862, 5 vols.

Compte-rendu des Séances du Corps Législatif. Sessions de 1859, 1860, 1861, 1862. 4 vols. 8°.

Procès-verbaux des Séances du Corps Législatif. 1860: 6 vols. 1861, 5 vols. 1862, 6 vols. 8°.

Minister of Public Instruction.

Œuvres de Lavoisier. Tome II. Paris, 1862. 4°.

Documents inédits sur l'histoire de France, viz. : Mémoires militaires relatifs a la succession d'Espagne sous Louis XIV. Tome XI, and Atlas of vols. 8, 9, 10, and 11. 2 vols. fo. and 4°.

Desjardins. Negociations diplomatique de la France avec la Toscane. Tome 2. Paris, 1861. 4°.

Baudry. Mémoires de Nicolas-Jos. Foucault. Paris, 1862. 4°.

Charriere. Negociations de la France dans le Levant. Tome 4. Paris, 1860. 4°.

Avenal. Lettres . . . et papiers d'Etat du Richelieu. Tome 4.
Paris, 1861. 4°.

Guessard et De Certain. Le Mistere du Siege d'Orleans. Paris,
1862. 4°.

Chéruel. Journal d'Olivier Lefèvre D'Ormesson. Tome II. Pa-
ris, 1861. 4°.

De Courson. Cartulaire de l'Abbaye de Redon. Paris, 1863. 4°.

Bouchitté. Négociations; lettres et pièces relatives a la confé-
rence de Loudun. Paris, 1862. 4°.

Monographie de la Cathédrale de Chartres. Atlas, livraison. 7.
fo. 1861.

Carte Topographique de la France. Nos. 256, 241, 217, 186.

Minister of War.

Recueil de Mémoires et observations sur l'hygiène et la médecine
vétérinaires militaires. Tome 11, 12. Paris, 1860. 8°.

Géographie physique et politique de l'Algérie. Par A. Fillias.
Paris, 1862. 8°.

État actuel de l'Algerie. Alger, 1862. 8°.

Minister of Finance.

Tableau général du Commerce de la France, pendant l'année
1861. Paris, 1862. 4°.

Tableau général des Mouvements du Cabotage, pendant l'année,
1861. fo.

Minister of Justice.

Bulletin des Lois: Empire Française. No. 1,011 à 1,123. Ditto,
Partie supplémentaire, No. 814 à 950. With titles and tables
of contents for vols. 18, 19, 20.

Compte général de l'administration de la justice criminelle en
France, pendant l'année 1860. Paris, 1862. 4°.

Compte général de l'administration de la justice civile et com-
merciale en France, pendant l'année 1860. Paris, 1862. 4°.

Minister of Agriculture, Commerce and Public Works.

Description des Machines et procédés . . . des brevets d'Inven-
tion. Tomes 40-43. 4°.

Ditto, Loi de 1791. Tome 93. 4°.

Catalogue des Brevets d'Invention. 1861: Nos. 11, 12. 1862:
Nos. 1-11. 8°.

Annales du Commerce Extérieur. 1,391 a 1,476. Paris, 1863.

Écoles des Pontes et Chaussées. Collections des dessins distri-
bues aux Élèves. Tome 1. No. 5. and plates. 8°.

Des Halles et marchés et du commerce des objets de Consommation à Londrés et a Paris. Parts 1, 2. Paris, 1862. 8°.

Travaux de la Commission Française sur l'Industrie des Nations. Tome 1, part 5. Paris, 1862. 8°.

Situation des Chemins de fer du Globe au Dec. 31, 1860. fo.

Chemins de fer Européen: recettes comparatives de 1860 et 1861. fo.

Répertoire méthodique de la législation des Chemins de fer. Paris, 1862. 4°.

Imperial Library of Paris.

Bustes antiques du Palais des Thuilleries. (32). Engraved by Baudet.

Etablissement des Baines de Mer de M. Gaillard Aîné. Caron, Lithog.

Eglise paroissiale du Bourg d'Anet. Lithog. par Ch. Carey. 3 views.

Ponte suspende de la Gironde a Bordeaux. Lith.

Fontaine de L'Esplanade de Nîmes. Lith.

Eglise de St. Jean, a Châteaudine. Lith.

Maison Carrée a Nîmes. Lith.

Monument du Comte Jules de St. Pol.

Quimperle, dans le Finistère. Lith.

Eglise de St. Jean, a Bazas. Lith.

De orygyne cronikil of Scotland, be Androw of Wyntown. London, 1795. 2 vols. 8°.

Memoires pour servir a l'histoire de la religion secrete des Anciens peuples. Par M. le Baron de Sainte-Croix. Paris, 1784. 8°.

Le vrai patriote. Par M. Alitêphe. Paris, 1789. 8°.

Dan. Eremitæ Aulicæ vitæ a civilis libri IV. Ultrajecti, 1701. 8°.

Sanctorum Presbyterorum Salviani Massiliensis et Vincentii Lirinensis Opera. Paris, 1784. 8°.

De l'Amitié. Amsterdam, 1761. 8°.

Agricultural Society of Lozère.

Bulletin de la Société d'Agriculture du Department de la Lozère. Feb.-Dec. 1862. Mende, 1862. 8°.

Royal Academy of Metz.

Memoires de l'Académie imperiale de Metz. 1861-62. Metz, 1862. 8°.

City of St. Malo.

Histoire et panorama d'un Pays-Bas, St. Malo, St. Servan, Dinan, Dol et Environs. Par B. Robidou. Dinan, 1861. 8°.

De la chorée, considérée comme affection rhumatisme. Par J. P. Botret. Paris, 1850. 4°.

City of Rouen.

Des Epidemies qui ont regné dans Rouen de 1844 à 1850. Par le Dr. Vingtrimier. Rouen, 1850. 8°.

City of Caen.

Eléments de Géométrie appliquée à la transformation du mouvement dans les Machines. Par C. Girault. Caen, 1858. 8°.

City of Bordeaux.

Essai sur l'histoire de la ville de Bazas. Par P. J. O'Reilly. Bazas, 1840. 8°.

Royal Academy of Sciences of France.

Mémoires de l'Académie des Sciences de l'Institut Imperial de France. Tome 26. Paris, 1862. 4°.

Society of Natural Sciences, Strasbourg.

Mémoires de la Société des Sciences Naturelles de Strasbourg. Tome 5. Paris, 1862. 4°.

Industrial Society of Mulhouse.

Bulletin de la Société industrielle de Mulhouse. Mars, 1862, Avril, 1863. 8°.

Imperial and Central Society of Horticulture.

Journal de la Société impériale et centrale d'Horticulture. Mars, 1862 à Avril 1863. 8°.

Cercle de la Libraire, Paris.

Bibliographie de la France, Journal de l'imprimerie, etc. Mars. 1862, Juin 1863. 8°.

Imperial Court of Justice, Paris.

Nouveau Coutumier général ou corps des Coutumes de France et des provinces. Par C. A. Bourdot de Richebourg. Paris, 1724. 4 vols. fo.

Dictionnaire de droit Canonique, et de pratique beneficiale. Par M. Durand de Maillane. Lyon, 1770. 4 vols. 4°.

La procédure civile des Tribunaux de France démontrée par principes. Par M. Pigeau. Paris, 1811. 4°.

Firmin Didot freres, Paris.

Revue contemporaine et Athenæum français. Tome 27, 28, 29. 1862-3. 8°.

L. Hachette & Co., Paris.

Le Tour du Monde. Nouveau Journal des Voyages, publié sous la direction de M. Edouard Charton. 2^e et 3^e année. Paris, 1861-2. 2 vols. 8°.

M. Vattemare.

La Charité privée à Londres. Par Henry Madinier. Paris, 1862. 8°.

A. Charma, Paris.

Une nouvelle classification des Sciences. Par M. A. Charma. Paris, 1859. 8°.

Comte Conrad De Gourcy.

Voyage agricole en France, Allemagne, Bohême, Belgique. Par le Comte Conrad de Gourcy. Paris, 1861. 8°.

Voyage agricole en Normandie, la Mayenne, Bretagne, etc. Par le Comte Conrad de Gourcy. Paris, 1862. 8°.

GREAT BRITAIN,

Royal Society of London.

Proceedings of the Royal Society. Vol. 12, No. 51-57. 8°.

Philosophical Transactions of the Royal Society. Vol. 152, for 1862.

Dr. W. De La Rués Bakerian Lecture on the Total Eclipse, July 18, 1860. 4°.

Report of the Astronomer Royal. Greenwich, June 6, 1863.

Geological Society, London.

Quarterly Journal of the Geological Society. Vol. 19, parts 1-4 8°.

Geological Society, Dublin.

Dublin Quarterly Journal of Science for 1862. Nos. 8, 9 ; 1863, Nos. 10-12. Vol. 9, pt. 2, and vol. 10, pt. 1.

Several pamphlets on Scientific subjects.

Society for the Propagation of the Gospel.

Report of the Society for the Propagation of the Gospel, for 1863. 2 copies

Society of Antiquaries, London.

Archæologia. Vol. 39, pt 1, and list of members, 1862-3.

Statistical Society, London.

Journal of the Statistical Society of London. Vol. 26, pts. 1-4. 8°.

Society of Arts, London.

Journal of the Society of Arts. Vol. 11, Nos. 522-571. 8°. 1863.

Royal Irish Academy.

Transactions of the Royal Irish Academy. Vol. 23, pt. 2, vol. 24, pt. 2. 4°.

Proceedings of the Royal Irish Academy. Vol. 7, pts. 1-8. Dublin, 1858-9. 8°.

Royal Society of Edinburgh.

Transactions of the Royal Society of Edinburgh. Vol. 23, pt. 1. 4°.

Proceedings of the Royal Society of Edinburgh. Vol. 4, No. 56. 8°.

Great Seal Patent Office.

Drawings and Specifications of Patents issued in Great Britain during 1863.

Zoological Society of London.

Transactions of the Zoological Society of London. Vol. 4, pt. 7, vol. 5, pts. 1, 2. 4°.

Proceedings of the Zoological Society of London. 1861, pt. 3, 1862, pts. 1, 2, 3. 8°.

Society of Antiquaries of Scotland.

Proceedings of the Society of Antiquaries of Scotland. Vols. 1, 3, and vol. 4, pt. 1. Edinburgh, 1852-63. 4°.

Transactions of the Society of Antiquaries of Scotland. Edinburgh, 1792-1857. 4 vols. 4°.

London City Library.

Catalogue of the Library of the Corporation of London. Supplement. 1863. 8°.

Royal Geographical Society, London.

Journal of the Royal Geographical Society, London. Vol. 32. 1862. 8°.

Proceedings of the Royal Geographical Society, London. Vol. 7, pts. 1-5.

HOLLAND.

Government of Holland.

Algemeene rekening wegens de ontvangsten en uitgaven over het dienstjaar, 1857. fo.

Verslag aangeboden door den Minister van finantien ... staatsinkomsten en uitgaven 1857-8 and 1858-9. fo.

Johan Van De Water's Groot Plakkaatboek 'slands van Utrecht. Deel 1 No. 9, Deel 2 No. 1. Utrecht, 1860. fo.

Holtrop, Monumens Typographiques des Pays-Bas, au quinzième Siècle. Livraisons 10-13. 4°.

Annales Academici, 1857, 1858. 4°.

Jacob Van Maerlant's Spiegel Historiae, Deel 1 No. 5, 6. Deel 2 No. 1, 2. Deel 3 No. 5. fol.

De Vrije Friés. Deel 3, pt. 1, 2, 3. 1860-61.

Mnemosyne. Bibliotheca-philologica Catava. Vol. 9, pt. 4; vol. 10 and vol. 11, pt. 1, 2. 8°.

Tijdschrift voor Entomologie. Deel 3, 4, and deel 5, No. 2-3. 1860-1. 8°.

Mengelingen van het Letterkundig Genootschap 1848-1851. 8 vols. 8°.

Carte Topographique des Pays-Bas. Nos. 1-3, 16, 34-37, 42, 43. Nederlandsche-Israeliëtsch Jaarboekje 1859, '60.

Oude Friesch Wetten. Deel 1, 2. Leiden, 1846. 2 vols. 8°.

Catalogus der Bibliotheek van het Friesch Genootschap 1848.

Jancko Douwama's Geschriften. 1849. 4°.

Instituut van Ingenieurs. Algemeen verslag van de Werkzaamheden en notulen der Vergaderingen 1851-1860. 8 vols. 8°.

Verhandelingen van het Instituut van Ingenieurs 1851-1861. 10 vols. 4°.

Jaarboekje van het Instituut van Ingenieurs. 1852. 8°.

Het leven van Koning William II. Door Abbink. Amsterdam. 1849. 8°.

Gronden der Mechanica. Door J. P. C. Van Overstraten, Breda, 1840. 12°.

Gronden der Sterrekunde, Door A. Quetelet. Amsterdam, 1827, 2 vols. 12°.

Traité pratique du Code d'Instruction Criminelle: avec une appendice. Paris, 1809. 8°.

Gronden der Cijferkunst. Door Jacob de Gelder. Gravenhage, 1837. 8°.

Memorial pour les Travaux de Guerre. Par G. H. Dufour. Paris, 1821. 8°.

Grondbeginzels der Hoogere Meetkunde. Door Jacob Floryn. Rotterdam, 1764. 8°.

Du Système Pénal et du Systém répresif en général. Par C. Lucas. Paris, 1827. 8°.

Beginzelen der Geometrie en Trigonometrie, door S. F. LaCroix. Gravenhage, 1839. 8°.

Développement de la Théorie des Lois Criminelle. Par Bexon. Paris, 1802. 8 vols. 8°.

Reise naar Brazilie 1815-1817. Door Maximiliaan, Prins van Wied Neuwied. Groningen, 1822. 2 vols. 8°.

L'art de lever des plans. Par J. J. Verkkaven. Paris, 1811. 8o.
 Eléments de Géométrie. Par Koenig & Blassiere. Haye,
 1864. 4o.

Traite de Topographie d'Arpentage et de Nivellement. Par L.
 Puissant, Paris, 1820. 4o.

Hedendaegsch Historie of tegenwoordige Staat van alle volkeren.
 Eerst in t'Engelsch beschreven door Th. Salmon. Translated
 By M. Van Gooch. Amsterdam, 1729-1742. 14 vols. 8o.

Nieuwe ontdekkingsreize rondem de Wereld, 1823-1826. Door
 Otto Van Kotzebue. Haarlem, 1830. 2 vols. 8o.

Beginnelsen der Stelkunst. Door S. F. Lacroix. Gravenhage,
 1825. 8o.

Beginnelsen der Meetkunst. Door S. F. Lacroix. Gravenhage,
 1838. 8o.

Annales d'Horticulture et de Botanique, ou Flora des Jardins du
 Royaume des Pays-Bas. Vols. 2, 3, 4, 5. Leida, 1856-62. 8o.

Fauna van Nederland. Door H. Schlegel. Leiden, 1854-8. 8o.

NORWAY.

Department of the Interior.

Official publications of the Department, viz:

Financial Statistics of Norway, 1856-1860. 4o.

Criminal Statistics of Norway, 1860. 4o.

Telegraph Statistics of Norway, 1861. 4o.

Report of the Health Department in Norway, 1859 and '60. 4o.

Report on the Leprosy Disease in Norway, 1860 and '61. 4o.

Commerce and Navigation of Norway, 1860-1861. 4o.

Det Kongelige Norske Frederiks Universitets Aarsberetning for
 1860. 12o.

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[Senate, No. 105.]

Henry Onderdonk, Jr., Jamaica, L. I.

First, 9th, 12th, 13th, 14th, 24th, 27th, 33d, 35th, 36th, 37th, 40th, 41st, 42d, 47th and 48th Annual Reports of the Long Island Bible Society, 1816-1863. 8°.

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First Settlement of South Hampton. By W. S. Pelletreau. 1863. 8°.

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A. B. Parmelee, Malone, N. Y.

Trial of James M. Bickford for the Murder of John B. Secor. Malone, 1854. 8°.

Hiram Perry, Albany.

Second and Third Annual Reports of the Trade and Commerce of Albany. Albany, 1862 and 1863. 8°.

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Hon. Eli Perry, Albany.

Proceedings of the Common Council of Albany, for 1862. 8°.

Rev. Wm. Sterens Perry, Newton, Mass.

Bishop Seabury and the "Episcopal Recorder"; a Vindication by W. S. Perry. 1863. 8°.

The Collects of the Church. By Rev. W. S. Perry. Portland, 1863. 8°.

The Connection of the Church of England, with Early American Discovery and Colonization. By Rev. W. S. Perry. Portland, 1863. 8°.

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John D. Philbrick, Boston.

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Chestnut Street Business Directory. Philadelphia. 12°.

A Collection of Almanacs (167.)

Sketch of the Finances of the United States. By Albert Gallatin. New York, 1796. 8°.

Forty-one Pamphlets, published in Philadelphia, on the Rebellion.

Fifty Patriotic Songs, published by J. H. Johnson, Philadelphia.

One hundred and twenty Miscellaneous Pamphlets.

A series of Engravings, viz. :

View of the Unfinished House on Chestnut street, intended for Mr. Morris.

View of the back of State House.

View of Market street, showing the 1st Presbyterian Church, built in 1794.

View of the Masonic Hall, on Chestnut street, built in 1810.

View of the Philadelphia Bank, corner of Chestnut street, built in 1809.

View of Solitude, on the Schuylkill, built in 1788, by John Penn.

View of Landsdown, on the Schuylkill, the seat of John Penn.

View of Mendenhall's Ferry, on the Schuylkill.

View of Montabella, seat of General Smith of Baltimore.

View of Mount Vernon.

View of Sedgeley, the seat of Wm. Cramond.

View of Devon, on the Delaware, the seat of A. J. Dallas.

View of the Capitol at Washington.

View of the fight of Lyon and Griswold, in Congress. Philadelphia, Feb. 15, 1798.

View of the Orphan Asylum, corner Cherry street, built in 1817.

View of Anthony Benezet's house, Chestnut street.

View of the Monument of Philip Livingston.

View of the Associate Presbyterian Church, Walnut street.

- View of the residence of Rev. W. Marshall, Spruce street, built in 1786.
- View of Christ's Church, in 1787.
- View of the State House, Philadelphia, 1778.
- View of the New Market, South 2d street, 1787.
- View of Fairmount Dam in 1824.
- Portrait of Major-General Brown, U. S. Army.
- A Miscellaneous collection of Engravings (23.)
- A series of Confederate Notes.
- Decisions of the Grand Lodge of Penn. By W. H. Adams. Philadelphia, 1862. 8°.
- Political and Tradesmens' Tokens struck in Philadelphia, in 1862 and 1863 (15.)
- An Autograph Letter of E. D. Ingraham.
- Philadelphia Almanacs, for 1864 (9.)
- The Views of Judge Woodward and Bishop Hopkins on Negro Slavery at the South. 8°.
- Statements relating to the Navy Yard in the Delaware. Phil'a, 1862. 8°.
- Mr. Judson's Sermon on Baptism, preached in Calcutta Sept. 27, 1812. 8°.
- Map of the Hudson River, post-roads between New York and Albany, &c. By Wm. Cammeyer, jr.. Albany, 1828. 18°.
- Report of the Phil'a Relief Comm. for the sufferers by yellow fever at Norfolk, 1855.
- Miss Martineau's Letters on Mesmerism. New York, 1845.
- The Sandy Foundation Shaken. By Wm. Penn. Philadelphia, 1823. 8°.
- Batters handbuck des Freiwilligen. Phil'a, 1851. 12°.
- The Works of John Woolman. In 2 parts. Phil'a, 1774. 8°.
- The New Vade Mecum, or young Clerk's Assistant. Lansingburgh, 1794. 12°.
- The Book and Slavery Irreconcilable. By George Bowme, Phil'a, 1816. 18°.
- The Schoolmaster's Assistant. By Thomas Dilworth. London, 1792. 8°.
- Officium Clerici Pacis. London, 1675. 12°.
- The Necessity and Divine excellency of a Life of purity and holiness. 'Phil'a, 1783. 8°.
- A Review of the noted Revival in Kentucky in 1801. By Adam Rankin. "Printed in 1803." 12°.

- Der Freund in der Noth.** Von Tobias Hirte. Germantown, 1793. 12°.
- Two years and three months in the New York Lunatic Asylum at Utica.** By Phebe B. Davis. Syracuse, 1855. 12°.
- Short Biographical Notices of Samuel Emlen, James Pemberton, &c.** By Job Shemas. 8°.
- Anecdotes and Memories of William Boen, a colored Man.** Phil'a, 1854.
- Diary of the Great Rebellion, from Dec'r 20, 1860, to January 1, 1862.** Washington, 1862. 18°.
- Account of the Distresses in Germany,** Burlington, 1815. 8°.
- Philosophical Treatise concerning the weakness of Human Understanding.** By Peter Huet. London, 1725. 8°.
- A Disquisition on Government.** By John C. Calhoun. Charleston, 1851. 8°.
- An Appeal to the Creditors of the Bank of Maryland.** By E. Poultney. Baltimore, 1835. 8°.
- The Negociator's Magazine.** By Richard Hayes. 9th ed. London, 1764. 8°.
- Memoir of John Woolman.** Phil'a, 1825. 12°.
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- Memorial of Patience Corlies, late of Shrewsbury. N. J.** Phil'a, 1841. 12°.
- Laws of Florida, 18th sess.** 1840. 8°.
- Sketch of the Life of W. H. Harrison,** 1836. 8°.
- Letters to the President on the foreign and domestic policy of the Union.** By H. C. Carey. Phil'a, 1858. 8°.
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- Sketch of Blockley Poor House Hospital.** By A. Caffrey. 8°.
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- Brief Remarks on impartiality in the interpretation of Scripture.** By J. J. Gurney. New York, 1846. 8°.
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A collection of miscellaneous pamphlets, (175.)

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John G. Shea, New York.

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S. H. Sweet, Dep. State Engineer.

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Reports of the Guards mounted at Fort Jackson, from March 24 to July 10, 1861. MSS. procured a short time after the surrender of the fort by the Confederate forces.

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David T. Valentine, New York.

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Peter Van Bergen, Jr., Albany.

Map of the Village and Town of Greenbush. Compiled by Peter Hogan, 1863.

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- Abel, F. A. & C. L. Bloxam.** Hand-book of Chemistry. 2d ed. Lond., 1857. 8°.
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- Bautain M. The Art of Extempore Speaking. N. Y., 1859. 12°.
- Baxter, Richard. How to do good to many, or the public good is the Christian's life. 1682. Lond., 1819. 8°. Pamphlets, vol. 704.
- Bayley, Bp. J. R. Memoirs of Rt. Rev. S. W. Gabriel Bruté, first bishop of Vincennes. N. Y., 1861. 12°.
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